1983

+ misc. §

Client file
Habeas 10/2023
Post Conv.

3,000,000
PP 5/11 & Cover sheet

Grievance # OSP. 2023.08.065 ______

Official Use Only Resubmit

## GRIEVANCE FORM

Name: Barrett | Spencer | J | 22418875 | SG 112 / DSU

Last | First | Initial | SID# | Cell/Block/Bunk #

Whom are you grieving: O.D.O.C Comm. Forms: Shift Supervisor, Lieutenant, Porter, Snyder, & QMHP & Medical

Please provide the date/time of incident giving rise to grievance: 7/9 - 8/12

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

I have sent atleast 6 Communication forms ("Kites") in the last month that I have not recieved back, the most recent being within the last week (8/10, 8/12). The majority have been related to my request for Protective Custody (7/9: Lieutenant, 7/30: PREA Assessment officer Snyder, 8/6: Porter, ... o one Kite directed to ...nal &/or Medical" sent ...in. ...pain tolerance and yet we ...rder for the guards to ...e I do not beg, I have ...y (as I'm sure, many others).

...solved?)

...009 - confiscated docs & PC req.
...sys.
...es, comp. equip & comm. sys.
... denied: reasons 1) 1 event & 2) 14 day
...by 2 reasons denied
... comm. sys. (Foster
...nt follow the directions or address grieved
...comm. sys. - Arbitrary denial #1
...ial #2
...better protection from retal., secure comm. sys.
...ne after curse "no way in hell would I help you, I'm not the grinch I'm ..."
...ed due to fear of retaliation on the grinch ...
...t griev's in 6 months & no help @ all)
...uested new months ago, & don't like dehumanizing cage & never ...
...eadache &, stomach 3 ...
...ed about on Divorce papers
...AGE, TREATED LIKE AN ANIMAL
...ant fill my order?

comp after 1-25-24 trigger event ...

*NOT NEEDED*: Commissary order delivered 2/6, no presumed/feared "D.R."/violation

Dates/Griev #'s: 1 • 8/5 - 08_009 - confiscated docs & PC req.

2 • 8/12 - 08_065 - new comm. sys.

3 • 8/23 - 08_135 - Indig. envelopes, comp. equip & comm. sys.

4 • & 08_135 A: complied by 2 denied: reasons 1) 1 event & 2) 14 day

5 • & 08_135: Re: complied by 2 reasons denied

6 • 9/1 - 09_081: more secure comm. sys. (Foster

7 • 09_081 Re: Foster didnt follow the directions or address the matter grieved

8 • 09_081A: more secure comm. sys. - Arbitrary denial #1

9 • 09_081A1: arbitrary denial #2

10 • 9/21 - 09_123: retaliated, better protection from retal., secure comm. sys.

9/22 - threatened me after curse "no way in hell would I help you, I'm not the grinch I'm cranks the grinch dont fight"

11,12 + 2 griev's (& likely more) not submitted due to fear of retaliation

13 • I do not feel safe here (20+ griev's in 6 months & no help @ all)

14 • Havent talked to BHS (requested new 2 months ago, & dont like dehumanizing cage & never help from records)

15 • Literally SICK, sore throat, headache & stomach 3 days

16 • Worried about Daughter & Lied about on Divorce papers

17 • OH YEAH & I'M LOCKED IN A CAGE, TREATED LIKE AN ANIMAL

18 • Intentional Antagonism: Why not just fill my order?

(1/25) Just come in unannounced, without time to prepare, when I'm already not feeling good.

• 1/10 & 1/24, denied comiss. orders. (35.5 & 47.5)

• ADA? No one advocating for my rights

• Shoulder pain/injury & med neglect

• Medical also showing deliberate indifference. Crim. negligence

• Was he really trying to help? Lets see; could have helped 1/10 or 1/24, could just track my order, could do anything more than making me wait another 2 weeks... By which time that order will come the day I leave (4 weeks)

Foster: to nourish & help grow
Thats like Trying to go by the Name "Department of Corrections but fostering Gang Culture" & High Recidivism"

6/23 - 1/24 = 8 months x 4 griev. limit per month = 32 (Stopped filing Dec = 32 - 8 = 24 max and I have 20 so I did as much as possible til no assistance

A. Sick
B. Unannounced
C. BHS
D. Divorce Lies

1. Just Wanted Commis.

2. Cant Grieve (retal)

3. if he actually wanted to Help

(1/29) still Engaged/prep from 1/25 event

I have evidence of him (Doc) antagonizing me,
What evidence does he have?

- Com. orders from 1/24
- Grievis on issue

Grievance # 0SP-2023-08-065 ______

Official Use Only Resubmit

# GRIEVANCE FORM

Name: Barrett Spencer J 22418875 SG 112 / DSU

Last First Initial SID# Cell/Block/Bunk #

Whom are you grieving: O.D.O.C Comm. Forms: Shift Supervisor, Lieutennant, Porter, Snyder, & QMHP & Medical

Please provide the date/time of incident giving rise to grievance: 7/9 - 8/12

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

I have sent atleast 6 Communication forms ("Kites") in the last month that I have not recieved back, the most recent being within the last week (8/10, 8/12). The majority have been related to my request for Protective Custody (7/9: Lieutennant, 7/30: PREA Assessment officer Snyder, 8/6: Porter, 8/10 & 8/12: Shift Supervisor) and also one Kite directed to a "Qualified Mental Health Professional &/or Medical" sent on 8/10 regarding Chest and Arm pain.

Some people, like me, have a high pain tolerance and yet we are expected to beg for help in order for the guards to find our pain "believable", because I do not beg, I have to endure much pain and Cruelty (as I'm sure, many others).

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

I would like, actually, I need a more accountable, trust-worthy communication system to ensure & confirm my questions & concerns have been recieved & responded to or I would prefer to be transferred back to Lane County Jail where staff are much more accountable, disciplined or simply caring.

Date: 8/14/23

Signature: [signature]

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| | RECEIVED AUG 15 2023 OSP/MCCF GRIEVANCE OFFICE | DENIED AUG 21 2023 OSP/MCCF GRIEVANCE OFFICE | |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

Page: ___ of ___ (3 page limit)

Grievance # OSP. 2023.08.135 ______ Resubmit

Official Use Only

See grieve appeal p28.5

## GRIEVANCE FORM

Name: Barrett Spencer J 22418875 SG112/DSU

Last First Initial SID# Cell/Block/Bunk #

Whom are you grieving: Foster / Law Library

Please provide the date/time of incident giving rise to grievance: 7/7 - 8/25, 8/23

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

Since arriving in Segregation (DSU) Foster has shown up anywhere between 7-930 am and sometimes not at all, his unpredictable timing makes it difficult to catch and speak with him.
On 8/23 I asked if I could have a form to access the indigent funds in order to recieve a "Step 2 of Fast & Speedy form", he contradicted OAR 291-139-0180 by saying "There is no form.. if you're broke you're broke, but They might give you one" this was after I was told to "work with your legal officer to order form". I do not know who "They" is. The Law Library access manual is horribly insufficient, my legal aid phone call is too short and OAR 291-139-0140 says, I should have "reasonable access to computer equipment"

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

I would like to access Indigent fund form or to recieve "step 2 fast & speedy" also need computer equipment to compile Tort in proper format & longer time to rent/access "Prisoners self-help Litigation Manual"

8/27/23

Date

Signature: [signature]

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| | RECEIVED AUG 29 2023 OSP/MCCF GRIEVANCE OFFICE | DENIED SEP 07 2023 OSP/MCCF GRIEVANCE OFFICE | |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |



# Oregon Department of Corrections (ODOC)
## Oregon State Penitentiary
## Grievance - Denied

**To:** Barrett, Spencer  **SID #:** 22418875  **Cell:** OSP:SG133
**From:** Lawson, J  **Date:** 09/07/2023

**Re:** Non-Medical# OSP_2023_08_135

The grievance you submitted is being returned to you due to non-compliance with the Department of Corrections (DOC) Rule #109 (Grievance Review System) for the following reason(s):

1) Grievances must be received by the institution grievance coordinator or designee within 14 calendar days from the date of the incident or issue being grieved, unless the AIC can satisfactorily demonstrate why the grievance could not be timely filed. Untimely grievances will be denied and returned to the AIC with a statement of the rule.

2) An AIC may only request review of one matter, action, or incident per grievance.

If you have any questions regarding your grievance, please refer to the Department of Corrections Administrative Rule "Grievance Review System" tab #109 located in the legal library or kyte your institution Grievance/Discrimination Complaint Coordinator.

"event: 8/23" "received: 8/29" "Denied: 9/7"

complied w/ Both (1 & 2) first sentence provided context for matter to be reviewed (the one on 8/23)

1) a more accountable law library communication system & records (advise by word of mouth is too unreliable/liable-to-corruption) 2) more critical/caring assessment of grievances

Date 9/14

Grievance # OSP. 2023. 08. 135 ______ Resubmit

*Official Use Only*

## GRIEVANCE APPEAL FORM

Name: Barrett Spencer J | 22418875 | SG133/DSU

Last First Initial SID# Cell/Block/Bunk #

List in detail all the reasons you disagree with the original grievance response or initial appeal response. (For the initial appeal, attach original grievance form and staff response. For the final appeal, attach the initial appeal form and response as well as the original grievance and response.)

Grievance # OSP.2023.08.135 was denied for 2 reasons: 1) must be recieved by the institution coordinator within 14 days from the date of the issue being grieved. 2) An AIC may only request one matter per grievance.
I have/had already complied with those rules: The first sentence provided context for the matter to be reviewed which was explicitly stated in Sentence 2 "On 8/23 I asked..." and the grievance is stamped as "RECIEVED AUG 29 2023" (6 days after the issue being grieved). So, although I want you to be aware of a number of abuses, I specifically discussed the incident to be reviewed (the one on 8/23). I am working with legal timelines/due dates and do not have time for such negligence.

Describe what action you want taken to resolve the grievance appeal if different from original grievance submission.

1) A more accountable law library Communication system and records (advise by word of mouth is too unreliable/liable-to-corruption) 2) more critical/caring assessment of grievances

9/14/23 [signature]

Date Signature

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| | RECEIVED SEP 19 2023 OSP/MCCF GRIEVANCE OFFICE | DENIED SEP 20 2023 OSP/MCCF GRIEVANCE OFFICE | |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

Grievance # OSP. 2023. 09. 081 ______

Official Use Only    Resubmit

# GRIEVANCE FORM

Name: Barrett (Last) Spencer (First) J (Initial)    22418875 (SID#)    SG133/DSU (Cell/Block/Bunk #)

Whom are you grieving: Foster, Law Library Protocol

Please provide the date/time of incident giving rise to grievance: 9/1/2023 ~11-12pm

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

I did not initially Grieve this event out of fear I would exceed my limit of 4 per month, but it provides context/reason/understanding for why I have been depositing all kites, grievances, appeals, order & envelope forms, folio requests and CD28's in the Secured Drop box near the Section entrance door. Kirk Bauer and "Ganja" (cells 9 & 10) and any others on the tier paying attention witnessed Foster overtly ignore my attempt to deliver/submit a folio request. I believe CO Harris witnessed it too, I spoke up after he (Foster) dropped off Papers for Baur but hurriedly left with his cart - hours after typical (11am-12, sometime after lunch) The CO (Harris?) & "Ganja" Confirmed he heard me but ignored.

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

I want to be understood for why I use this more secure method of submitting paperwork: The Dropbox's purpose is not stated explicitly, multiple Communications have not been returned and to avoid illegitimate DSU "disciplinarians" or retaliation by staff.

9/15/23    Spencer Joseph Barrett

Date    Signature

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| | RECEIVED<br>SEP 19 2023<br>OSP/MCCF GRIEVANCE OFFICE | ACCEPTED<br>SEP 20 2023<br>OSP/MCCF GRIEVANCE OFFICE | |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

Not to just require our blind trust in his delivery of our legal materials



# GRIEVANCE RESPONSE FORM

**TO BE FILLED OUT BY STAFF**

**Grievance #:** osp.2023.09.081

TO: Barrett — 22418875
Name of grievant — SID #

FROM: W. Foster — Legal Officer
Name of respondent — Title

1. List, in detail, action(s) taken. (What action was taken? Was the action what the AIC requested? If not, why? Who took the action? When was the action taken – date/time?)

All legal paper work goes through the Legal Officer. The Legal Officer then brings the paperwork to the Legal library for processing. By placing your legal paperwork in the Grievance box in the unit it will slow down, or stop the processing of your legal paperwork.

Be sure when the Legal Officer enters your unit and announces their presence you are prepared to request, and/or submit all your legal paperwork and forms for that day.

OAR 291-139-0140

(1) AIC's assigned to special housing will be afforded reasonable access to law library services through intra-facility telephone and loan systems, satellite law library materials, computer equipment in or near the special housing unit or some combination therein.

There is no OAR, Policy or Rule that states the time, days, or frequency when the Legal Officer must tour the whole SMH building to collect and hand out legal material. It only needs to be reasonable. As a result the Legal Officer makes their rounds as time and circumstances permit.

What is the definition of reasonable? how do I know he's being reasonable? why is he given so much power without checks and balances

It is not reasonable to expect someone to remain alert & on watch for the legal officer @ all hours of the day

An AIC communication form can also be used to communicate with the legal officer and using the internal mail system of the SMH building the Legal Officer can send you apppropiate forms that you need to order research material, Legal materials, ECT.

This is what I am grieving. The corruption of the internal mail system

Action wanted: multiple dropboxes like coffee creek or tablet/digital/receipt system to track a communications place & progress

★ THIS DOES NOT ADDRESS THE MATTER GRIEVED & INSTANCES WHERE YOU FORGET OR LOSE DOCUMENTS / SERVICE

**Do not type past this line**

2. Date: 10/2/23

Page 1 of 1

Signature of Staff Member

Capt. B. Eriksen / [signature]
Signature of Supervisor (Print/Sign)

| Receiving Facility (if not processing facility) | Received at Processing Facility | Sent to AIC |
|---|---|---|
| | RECEIVED OCT 02 2023 OSP/MCCF GRIEVANCE OFFICE | SENT OCT 02 2023 OSP/MCCF GRIEVANCE OFFICE |
| Date Stamp | Date Stamp | Date Stamp |

Distribution:
White (Original grievance response form)

CD117B (10/19)

43

Grievance # OSP. 2023. 09. 081A ______
Official Use Only  Resubmit

## GRIEVANCE APPEAL FORM

Name: Barrett Spencer J 22418875 DSU/SG133
Last First Initial SID# Cell/Block/Bunk #

List in detail all the reasons you disagree with the original grievance response or initial appeal response. (For the initial appeal, attach original grievance form and staff response. For the final appeal, attach the initial appeal form and response as well as the original grievance and response.)

Grievance Response (osp.2023.09.081): 1. Does not follow the response form instructions: what action was taken? Was the action what the AIC requested? ("more secure method of submitting paperwork" because "multiple communications have not been returned") 2. Does not address the matter being grieved: a legal officer ignoring an attempt to submit paperwork by an AIC 3. "no OAR, Policy or rule states the time, days, or frequency the Legal officer must tour.. it only needs to be reasonable" a. it is not reasonable to require our (AIC's) blind trust with sensitive legal materials and deadlines. b. it is not reasonable to expect AIC's to remain alert and on watch for the legal officer at all times of day c. What is the current definition for reasonable or why is the legal officer given so much power/responsibility without proper checks & balances

Describe what action you want taken to resolve the grievance appeal if different from original grievance submission.

A more secure method of submitting and storing, holding & recording legal paperwork (maybe multiple drop boxes like at coffee creek &/or digital (tablet) submissions/reciepts to relieve the legal officer of exhausting touring "the whole SMH" and of such immense responsibility

10/4/23 Spencer Joseph Barrett
Date Signature

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| | RECEIVED OCT 10 2023 OSP/MCCF GRIEVANCE OFFICE | DENIED OCT 13 2023 OSP/MCCF GRIEVANCE OFFICE | |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

Grievance # OSP. 2023.09.081/A    1
Official Use Only    Resubmit

## GRIEVANCE APPEAL FORM

Name: Barnett Spencer J    22418875    DSU/SG133
Last    First    Initial    SID#    Cell/Block/Bunk #

List in detail all the reasons you disagree with the original grievance response or initial appeal response. (For the initial appeal, attach original grievance form and staff response. For the final appeal, attach the initial appeal form and response as well as the original grievance and response.)

Initial appeal Denied (09-081) Date: 10/13/23
1. wrote all over original response. Grievances Appeals must be legible and written within the appropriate Space provided"
a) Thankyou for providing me with a copy of the original response (without my writing on it)
i) I apologize if it may have confused you, I did not intend for any of that writing to be considered
ii) I expressed my main concerns legibly and in the appropriate Space of the initial appeal
iii) I am worried/confused why I need to provide my own copies, when you maintain your own records and I as an indigent in need of recycling/re-using paper am forced to brainstorm on the original AND how is that a legitimate reason to deny my grievance - WHEN you maintain your own records!?

Describe what action you want taken to resolve the grievance appeal if different from original grievance submission.

Please consider the actions from my initial appeal Dated 10/4/23, Recieved Oct 10 '23,
Thank you for your consideration

10/17/23
Date

[signature]
Signature

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| | RECEIVED OCT 24 2023 OSP/MCCF GRIEVANCE OFFICE | DENIED OCT 26 2023 OSP/MCCF GRIEVANCE OFFICE | |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

Page: ____ of ____ (3 page limit)

Grievance # OSP. 2023.09.123 ________ Resubmit

Official Use Only

## GRIEVANCE FORM

Name: Barrett Spencer J 22418875 SG133/DSU

Last First Initial SID# Cell/Block/Bunk #

Whom are you grieving: Foster & Law Library Protocol

Please provide the date/time of incident giving rise to grievance: ~9am 9/21

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

Foster retaliated/is retaliating against me for a grievance (09-081) I filed against him by coming to my cell and trying to intimidate me by calling me, "Liar!" when I asked, "about what?" he laughed at me cynically and left. Foster has lost, misplaced or deliberately not delivered (since the beginning of September) my canteen orders, folio requests and legal mail regarding 5 active cases (an appeal, fast n' Speedy, habeas, Divorce & post conv. relief). Being called a Liar is a trigger and the question should not be "did he lie?" but instead "could this possibly be a big area of systematic error & not personal blame?" maybe Foster really doesn't remember, still, retaliation is common especially without proper safeguards

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

1. more sensitive & accountable methods of investigating grievance's and protecting from retaliation 2. Some form of Security system, record or receipts to accompany legal form orders, outgoing mail, Kites, staff interactions.

9/27/23 — Date

[signature] — Signature

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| | RECEIVED SEP 29 2023 OSP/MCCF GRIEVANCE OFFICE | DENIED OCT 02 2023 OSP/MCCF GRIEVANCE OFFICE | |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

Page: ____ of ____ (3 page limit) Grievance # ____________ Official Use Only ____ Resubmit

## GRIEVANCE FORM

Name: Barrett Spencer J 22418875 DSU/SG133
Last First Initial SID# Cell/Block/Bunk #

Whom are you grieving: Superintendant of OSP, legal officer, BHS

Please provide the date/time of incident giving rise to grievance: 12/20/23

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

On 12/20 I asked the legal officer why I had not received my Canteen orders or envelopes, as I urgently need to reply/meet court deadlines. I submitted multiple forms and kites the week I returned to OSP from OSCI requesting envelopes including legal Envelope form, to law library, picked up by legal officer & kites to DSU Sergeant and Staff. The legal officer said he remembered picking up my Canteen orders on 12/6 (& 12/13) for envelopes & radio but told me I could kite warehouse. But there's no tracking # "so there was nothing he could do. I have already grieved an issue with this legal officer who did not follow the directions to the response where I requested a more secure method of document submission. I am afraid to grieve more after experiencing blatant retaliation/discrimination

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

(1) I need Envelopes ASAP and have $ to pay for that & a radio. BHS hasn't helped advocate for my rights (SMI)(ADA) I shouldnt have to wait another 2-weeks to see if my order isnt somehow lost. Everyone else has radios and envelopes. (2). Secure method of document submission/tracking (3) Legal Property (I have envelopes in my property too & urgent documents)

12/22/23
Date

Signature: [signature]

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

Page: ____ of ____ (3 page limit) Grievance # ______________ ________

Official Use Only Resubmit

# GRIEVANCE FORM

Name: Barrett Spencer J 22418875 DSU/SG133

Last First Initial SID# Cell/Block/Bunk #

Whom are you grieving: AIC'S: Zane Johnston & Charles F. Seeley & DSU Staff & Ramirez (cell 37) "Rat!"

Please provide the date/time of incident giving rise to grievance: ~11-3pm 1/11/2024

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

AIC'S Zane Johnston (cell 35 (SG135)) and Charles F. Seeley III (SG141) have repeatedly threatened and extorted other AIC's into acts against staff by saying "If you want to be a Good Dude," "If you ever want to walk Mainline again," "you have to say you have a knife and will stab them," "put your sheets up," "flood your cell and when they come in dont just throw piss and get maced, you have to fight them OR you will NEVER walk mainline again," "you will get clipped at every Prison you go to" to Sean in cell 13, Staff can hear the extortion and are not holding Johnston & Seeley accountable. This also happened/similar to Tim in cell 36 on 12/21 and is a recurring event at OSP.

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

I want staff to hold AIC's accountable and provide a safe environment for rehabillitation not Gang Culture/Creation: Provide Secure Communication system and monitor Audio threats & repeat Predators and remove the AIC to a safe place to be honest (away from Predators)

Date: 1/11/24 Signature: Sam Joseph Barrett

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

similar: p48 (1.13) staff dont follow directions: p49 (1.13)

For grievance information see back page. Distribution: White (Original grievance form); Canary (AIC receipt after processed) CD 117 (11/2019)

1. already grieved this 2. Grievance system doesnt work (no help in 2024) 3. fear staff &/or AIC retaliation 4. Do not want to risk current security/housing 5. almost out, will publish, work for real reform outside 6. The Tower (observation) can hear everything, obviously permits this

Violations: 2.10, 11, 12 (Disrespect I-III), 2.15, 16 (Extortion I-II), 2.25 (Sexual Harassment) 2.40 (Hostage Taking) 3.15 (Fraud), 4.05 (Disturbance), 4.35 (Racketeering), 4.45, 46 (Unauthorized Organization I-II)

Please use [illegible] Protected [illegible]nds for t[illegible]der. ∅ $ in acc.

Sgn Joseph Barnett
Signature Required

SID 22418875 Date 12/27

Name Barnett (Last) Spencer (First)

Institution OSP Block-Unit DSU Cell-Bunk 56 133

DSU-LOP DSU 133

PRICES, ITEMS AND SIZES ARE SUBJECT TO CHANGE WITHOUT ANY NOTICE

Work Location

Puller #

SHU Sergeant Initials ______

**Your Name, SID, Institution, Unit and Bunk must be filled out on your canteen slip or your order will not be filled.**
**Mark all your slections clearly in the boxes next to the items.**

| | Storage 1 Maximum | | Limit | | Price |
|---|---|---|---|---|---|
| | Religious Storage Container | 1 ct | 1 | ☼ | $4.23 |
| | Short Term / Close Supervision | | | | |

Envelopes ______ (1035)

LOP Envelopes 7 Maximum
DSU Envelopes 20 Maximum Execpt Priority 2 Maximum

| Qty | Envelopes & Boxes | Size | | UPC | Price |
|---|---|---|---|---|---|
| 2 | Envelope | 1 oz | ☼ | 1035 | $0.85 |
| | Env-Priority-Domestic Use Only Limit 2 | 1 ct | ☼ | 1075 | $11.00 |
| | Envelope - International 1 oz & Domestic 2 oz | | ☼ | 1037 | $1.60 |
| | Single Postcards | 1 ct | ☼ | 1060 | $0.70 |
| | 10" x 13" Envelope | 5 oz | ☼ | 1072 | $2.52 |
| | 12.5" x 18.5" Envelope | 3 oz | ☼ | 1074 | $6.64 |
| | 6" x 9" Envelope | 2 oz | ☼ | 1069 | $2.15 |
| | 9" x 12" 12 oz / Domestic | | ☼ | 1076 | $4.30 |
| | 9" x 12" International 3 oz / Canada Envelope | | ☼ | 1077 | $3.75 |
| | 9" x 12" International 3 oz / Mexico Envelope | | ☼ | 1078 | $4.85 |
| | 9" x 12" International 3 oz / Aust-China-Europe | | ☼ | 1079 | $5.45 |

| Qty | Batteries Limit 4 | Size | | Price |
|---|---|---|---|---|
| 4 | AAA (7701) | | ☼ | $0.51 |
| | AA (7702) | | ☼ | $0.51 |

| Qty | Electronics and Accessories Limit 1 each | Size | | Price |
|---|---|---|---|---|
| | Diamond Audio Digital am/fm Radio | 1 ct | ☼ | $33.38 |
| 1 | GPX Clear Walkman R300CLR | 1 ct | | $12.43 |
| | Koss CL-5 Headphones 8ft cord | 1 ct | | $9.50 |

| Qty | Long Term Only / LOP | Size | K/H | Limit | UPC | Price |
|---|---|---|---|---|---|---|
| | Limit 0 Greeting Cards Please specify Event, Age and Gender | | | | | $2.33 |
| | | | | ☼ | | |
| | | | | ☼ | | |
| | Multi Purpose Solution, Good Sense | 12 oz | | 1 | | $5.93 |
| | Eye Sterile Drops, Family Care | .5 oz | | 1 | | $1.50 |
| | Drawing Pad 50 Sheets #70 | 1 ct | | 1 | c | $8.97 |
| | College Rule Notebook Paper 200 Sheets | 1 ct | | 1 | | $2.72 |
| | Vaseline Intensive Care, Lotion | 2 oz | | 1 | | $2.43 |
| | Hemorrhoidal Ointment, Good Sense | 2 oz | | 1 | | $4.10 |
| | Allergy [illegible] | [illegible] | | 1 | | $2.43 |
| | Tolnaftate Cream Antifungal, Family Care | 1 oz | | 1 | | $1.66 |
| | Freshscent, Shampoo | 4 oz | | 1 | | $0.94 |
| | Freshscent Conditioner | 4 oz | | 1 | | $0.94 |
| | Bergamot Conditioner Softee Green | 5 oz | | 1 | | $1.64 |
| | Next 1 Clear Bar | 3 oz | | 1 | | $0.76 |
| | Freshmint Gel Toothpaste | 2.75 oz | | 1 | | $1.06 |
| | Floss Loops | 30 ct | | 1 | | $3.73 |
| | Freshmint Denture Cleanser Tablets | 40 ct | | 1 | | $4.72 |
| | Denture Adhesive Cream | 2.4 oz | | 1 | | $4.16 |
| | Orafix Denture Bath | 1 ct | | 1 | | $1.46 |
| | FORCE [illegible] Deodorant Roll-on, Powerup | 3 oz | | 1 | | $2.30 |
| | Crawford Clear Stick Deodorant [illegible] | .5 oz | | 1 | 4048 | $0.98 |
| | Washcloth, White 12"x12" | 1 ct | | 1 | | $0.43 |
| | Lactose Relief Clear Choice | 60 ct | | | | $7.13 |
| | LOP AIC ONLY | | | | | |
| | Ink Pen, Blue Bic Round Stic M | 1 ct | | 1 | 1041 | $0.25 |
| | Colgate Soft Toothbrush | 1 ct | | 1 | | $0.87 |

**Your Name, SID, Institution, Unit and Bunk must be filled out on your Commissary order form or your order will not be processed.**

By submitting this form, you are required to sign for the items you have ordered.

**You are responsible for maintaining all your receipts and warranty information.**

Please Do Not Doodle or write on the Commissary Form.
Your Name, SID, Institution, Unit and Bunk must be filled out on your Commissary order form or your order will not be processed.

☼ Item Does Not Count Towards Spending Limit

**Your order will NOT be processed:**

If you have insufficient funds.
If the form is soiled, stained and / or contaminated.
If the writing is not legible.
If you have doodled or written notes on the form.

Update 9.29.2023 sj

If you are not going to be in DSU upon delivery of Canteen PLEASE do not ORDER!

In accordance with Department of Corrections rules, only the following canteen items are authorized for an inmate assigned to the Segregation Unit. Inmates on short-term status may only order items from the short-term list below. You may only choose one item in each highlighted area. The product sizes and weights are provided only for your ordering convenience, their accuracy is not guaranteed and they may change without notice.

## DSU.LOP Holiday 2023

11.13.2023

| Limits | Item Description | Size | Case | Price |
|---|---|---|---|---|
| 1 | NERDS GUMMYCLUSTER | 5 oz | 12 | $3.07 |
| 1 | HOT TAMALE CANDY | 5 oz | 12 | $1.55 |
| 1 | ZACKARY DBL DIPPED CHOC PEANUTS | 5 oz | 12 | $1.79 |
| 1 | ZACKARY BRIDGE MIX | 5 oz | 12 | $1.79 |
| 1 | JOLLY RANCHER CHEW CANDY | 2.06 oz | 96 | $1.67 |
| 1 | LOCOCHAS WATERMELON CANDY W/CHILE | 18 ct | 12 | $1.86 |
| 1 | RICE CRISPY TREAT | 1.3 OZ | 80 | $0.46 |
| 1 | ML CARAMEL POPCORN | 3.53 OZ | 60 | $0.94 |

| Limits | Item Description | Size | Case | Price |
|---|---|---|---|---|
| 1 | SNYDER PRETZ PIECES HONY/MUST | 2.25 oz | 60 | $0.72 |
| 1 | CHEX MIX MUDDY BUDDY PEANUT BUTTER | 4 oz | 8 | $2.86 |
| 1 | EL MEXICANA HORCHATA DRINK MIX | 12 oz | 16 | $3.22 |
| 1 | SKITTLES TROPICAL DRINK MIX | 30 ct | 6 | $5.36 |
| 1 | LD VANILLA CHRISTMAS TREE CAKES | 5 ct | 16 | |
| 1 | LIL DUTCH MAID HOLIDAY COOKIE | 9 oz | 12 | $1.43 |
| 1 | BC CHILI W/BEANS | 1.25 oz | 24 | $2.22 |
| 1 | BC PASTA SAUCE ITALIAN | 4 oz | 64 | $0.77 |

| Limits | Item Description | Size | Case | Price |
|---|---|---|---|---|
| 1 | YELLOWFIN TUNA IN THAI CHILI SAUCE | 2.5 oz | 24 | $2.97 |
| 1 | MACKEREL IN BRINE | 3.5oz | 24 | $1.43 |
| 1 | BC BEEF STEW | 11.25oz | 24 | $3.22 |
| 1 | FRITOS HONEY BBQ TWIST | 9.25oz | 10 | $2.79 |
| 6 | SINGLE HOLIDAY CARD | | | $1.56 |
| 1 | 12 PACK HOLIDAY CARD | | | $18.30 |

Do NOT Sign you do Not have a Protected Funds Acct!

Please use my Protected Funds for this order.

Sam Joseph Barrett
Signature Required

SID 22418875 Date 1/10/24

Name Barrett (Last) Spencer (First)

Institution OSP Block-Unit DSU Cell-Bunk SG 133

DSU-LOP

PRICES, ITEMS AND SIZES ARE SUBJECT TO CHANGE WITHOUT ANY NOTICE

DSU 133

Work Location

Puller #

SHU Sergeant Initials ______

**Your Name, SID, Institution, Unit and Bunk must be filled out on your canteen slip or your order will not be filled.**
**Mark all your slections clearly in the boxes next to the items.**

| | Storage 1 Maximum | | Limit | | Price |
|---|---|---|---|---|---|
| | Religious Storage Container | 1 ct | 1 | ☼ | $4.23 |
| | Short Term / Close Supervision | | | | |

Envelopes ______ (1035)

LOP Envelopes 7 Maximum
DSU Envelopes 20 Maximum — Execpt Priority 2 Maximum

| Qty | Envelopes & Boxes | Size | | UPC | Price |
|---|---|---|---|---|---|
| | Envelope | 1 oz | ☼ | 1035 | $0.85 |
| | Env-Priority-Domestic Use Only Limit 2 | 1 ct | ☼ | 1075 | $11.00 |
| | Envelope - International 1 oz & Domestic 2 oz | | ☼ | 1037 | $1.60 |
| | Single Postcards | 1 ct | ☼ | 1050 | $0.70 |
| | 10" x 13" Envelope | 5 oz | ☼ | 1072 | $2.52 |
| | 12.5" x 18.5" Envelope | 3 oz | ☼ | 1074 | $6.64 |
| | 6" x 9" Envelope | 2 oz | ☼ | 1069 | $2.15 |
| | 9" x 12" 12 oz / Domestic | | ☼ | 1076 | $4.30 |
| | 9" x 12" International 3 oz / Canada Envelope | | ☼ | 1077 | $3.75 |
| | 9" x 12" International 3 oz / Mexico Envelope | | ☼ | 1078 | $4.85 |
| | 9" x 12" International 3 oz / Aust-China-Europe | | ☼ | 1079 | $5.45 |
| **Qty** | **Batteries Limit 4** | **Size** | | | **Price** |
| ~~4~~ 2 | AAA (7701) – 2 | | ☼ | | $0.51 |
| ~~4~~ 2 | AA (7702) – 2 | | ☼ | | $0.51 |
| **Qty** | **Electronics and Accessories** Limit 1 each | **Size** | | | **Price** |
| | Diamond Audio Digital am/fm Radio | 1 ct | ☼ | | $33.38 |
| 1 | GPX Clear Walkman R300CLR | 1 ct | | | $12.43 |
| | Koss CL-5 Headphones 8ft cord | 1 ct | | | $9.50 |

| Qty | Long Term Only / LOP Only | Size | K/H | Limit | UPC | Price |
|---|---|---|---|---|---|---|
| | Limit 10 Greeting Cards Please specify Event, Age and Gender | | | | | $2.33 |
| | | | | ☼ | | |
| | | | | ☼ | | |
| | | | | ☼ | | |
| | | | | ☼ | | |
| | Multi Purpose Solution, Good Sense | 12 oz | | 1 | | $5.93 |
| | Eye Sterile Drops, Family Care | .5 oz | | 1 | | $1.59 |
| | Drawing Pad 50 Sheets #70 | 1 ct | | 1 | c | $8.97 |
| | College Rule Notebook Paper 200 sheets | 1 ct | | 1 | | $2.72 |
| | Vaseline Intensive Care, Lotion | 2 oz | | 1 | | $2.43 |
| | Hemorrhoidal Ointment, Good Sense | 2 oz | | 1 | | $4.10 |
| | Allergy Relief, HealthA2Z | 10 ct | | 1 | | $2.43 |
| | Tolnaftate Cream Antifungal, Family Care | 1 oz | | 1 | | $1.66 |
| | Freshcent , Shampoo | 4 oz | | 1 | | $0.94 |
| | Freshscent Conditioner | 4 oz | | 1 | | $0.94 |
| | Bergamot Conditioner, Softee Green | 5 oz | | 1 | | $1.64 |
| | Next 1 Clear Bar | 3 oz | | 1 | | $0.76 |
| | Freshmint Gel Toothpaste | 2.75 oz | | 1 | | $1.06 |
| | Floss Loops | 30 ct | | 1 | | $3.73 |
| | Freshmint Denture Cleanser Tablets | 40 ct | | 1 | | $4.72 |
| | Denture Adhesive Cream | 2.4 oz | | 1 | | $4.16 |
| | Orafix Denture Bath | 1 ct | | 1 | | $1.46 |
| | FORCE A/P Deodorant Roll-on, Power up | 3 oz | | 1 | | $2.30 |
| | Crawford Clear Stick Deodorant Reg. | .5 oz | | 1 | 4048 | $0.93 |
| | Washcloth, White 12"x12" | 1 ct | | 1 | | $0.43 |
| | Lactose Relief, Clear Choice | 60 ct | | | | $7.13 |
| | Flexible Toothbrush | 1 ct | | 1 | | $0.25 |

**Your Name, SID, Institution, Unit and Bunk must be filled out on your Commissary order form or your order will not be processed.**

By Submitting this form, you are required to sign for the items you have ordered.

**You are responsible for maintaining all your receipts and warranty information.**

Please Do Not Doodle or write on the Commissary Form.
Your Name, SID, Institution, Unit and Bunk must be filled out on your Commissary order form or your order will not be processed.

☼ Item Does Not Count Towards Spending Limit

**Your order will NOT be processed:**

If you have insufficient funds.
If the form is soiled, stained and / or contaminated.
If the writing is not legible.
If you have doodled or written notes on the form.

Update 12.29.2023 sj

If you are not going to be in DSU upon delivery of Canteen PLEASE do not ORDER!

In accordance with Department of Corrections rules, only the following canteen items are authorized for an inmate assigned to the Segregation Unit. Inmates on short-term status may only order items from the short-term list below. You may only choose one item in each highlighted area. The product sizes and weights are provided only for your ordering convenience, their accuracy is not guaranteed and they may change without notice.

TOTAL: ~~[illegible]~~ 14.47

~~[illegible] 4 TOTAL BATTERIES [illegible]~~

~~([illegible]) ([illegible])~~

HENNESSE

OREGON DEPARTMENT OF CORRECTIONS

OTRTASTB
12.1.1.0.1.6 ODOC

T R U S T   A C C O U N T   S T A T E M E N T

SID# 0022418875 Name: BARRETT, SPENCER JOSEPH BKG# 3893020
LOCATION: OSP-DSU2-SG133

| | | |
|---|---|---|
| Account Balance Today (23-JAN-24 ) | Current : | 30.81 |
| | Hold : | 0.00 |
| | Total : | 30.81 |

Account Balance as of 18-JAN-24 30.81

12/19/2023 01/18/2024

| SUB ACCOUNT | START BALANCE | END BALANCE |
|---|---|---|
| 2101 AIC SPENDING ACCOUNT | 0.02 | 23.21 |
| 2113 TRANSITIONAL SAVINGS | 5.10 | 7.60 |

DEBTS AND OBLIGATIONS

| TYPE | PAYABLE | INFO NUMBER | AMOUNT OWING | AMOUNT PAID | WRITE-OFF AMOUNT |
|---|---|---|---|---|---|
| LCPRRA | LEGAL COPY PUB REQUEST ADVANCE | 11142023 | 3.00 | 0.00 | 0.00 |
| REST | OJD - RESTITUTION, FINES & FEES | 06132023 | 485.00 | 15.00 | 0.00 |
| LPDOCA | LEGAL COPIES DOC ADVANCE | 06092023 | 4.30 | 3.50 | 0.00 |
| LPCCCA | LEGAL POSTAGE OCCF ADVANCE | 06092023 | 0.00 | 2.01 | 0.00 |
| COPA | COPY ADVANCE | 06092023 | 0.00 | 7.80 | 0.00 |
| OCICA | OCIC POSTAGE ADVANCE | 06292023 | 0.00 | 25.47 | 0.00 |
| FDISA | DISCIPLINARY FINES ADVANCE | 09012023 | 5.86 | 44.14 | 0.00 |

TRANSACTION DESCRIPTION COURT ORDERD OBLIGATIONS

| DATE | TYPE | TRANSACTION DESCRIPTION | TRANSACTION AMT |
|---|---|---|---|
| 05/01/2023 | REST | New Debt Received | 500.00 |

TRANSACTION DESCRIPTIONS -- 2101 AIC SPENDING SUB-ACCOUNT ACCOUNT

| DATE | TRANSACTION DESCRIPTION | RECEIPT# | TRANSACTION AMT | BALANCE |
|---|---|---|---|---|
| 12/29/2023 | Deduction-FDISA-09012023 D D | | ( 0.02) | 0.00 |
| 01/02/2024 | Interest Distribution | | 0.02 | 0.02 |
| 01/02/2024 | Deduction-CLR-05262023 D D | | ( 0.01) | 0.01 |
| 01/02/2024 | Deduction-CLR-05262023 D D | | 0.01 | 0.02 |

1-26-24

LOOK AT ALL MY GRIEVANCES... YOU ARE CRIMINALLY NEGLIGENT
YOU HAVE NOT HELPED AT ALL

1. commissary, January 3 '23 [illegible]
2. medical pain, [illegible]
3. grievances: retal
4. BHS: new counselor
5. [illegible]: stolen prop, & pet for review, [illegible] only

# WATCHING ME WITHOUT RESPONDIN TO MY REQUESTS FOR HELP IS CRUEL & UNUSUAL

/NEED FOR SECURITY

IF YOURE NOT HERE
TO HELP ME, THEN
GO AWAY
INSULTING/TAUNTING
/DISBELIEVING
/HUMILIATING /DEHUMANIZING
OBSERVERS

MY EMOTIONS
ARE NOT YOUR/FOR
ENTERTAINMENT

YOU
ARE
INCITING
VIOLENCE

STEREOTYPE THREAT, GOLEM EFFECT






# SECURITY

**IMPORTANT NOTICE**

**Change of Regular Operations**

Monday, October 2, 2023, between 1:00 pm and 4:00 pm.

OSP leadership is hosting an event on Monday, October 2, 2023. The event will start at 1:00 pm and be over at 4:00 pm. This event will impact Alpha Block, the Yard, and showers. AICs from Alpha Block will not have out-of-cell time on the block, which includes showers, phones, tables, and the dayroom. I am closing the Yard and showers to facilitate the event.

The OIC will resume normal operations in both areas after the 4:00 pm count clears.

This event will not have a significant impact on other areas of the facility, and we will have regularly scheduled activities such as visits, callouts, and work.

/s/ C. Borden, EP Captain

**Laundry Bags**

For AICs that are issued a laundry bag to be washed in the Clothing Room: There are to be only approved items placed in the laundry bags to be washed. The bags are washed once a week, and are subject to being searched. Any unauthorized articles will be confiscated and disposed of in the appropriate manner (i.e., Personal unauthorized articles being turned in to the Property Corporal to be reclaimed, and unauthorized state clothing going back to the clothing rotation.).

/s/ T. Joli, Clothing Room Corporal

# GENERAL SERVICES

**Plumbing Work/Repair Requests**

For timely processing of work/repair requests for plumbing in your housing cell or at your work location, please follow the procedure outlined below:

For housing cell:

Notify your tier officer or block sergeant as soon as an issue arises. Provide a brief but detailed explanation.

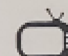
An electronic work order request will be submitted to the Physical Plant Office for processing.

For work location (i.e., OCE, Food Services, Yard):

Notify your staff supervisor as soon as an issue arises. Provide a brief but detailed explanation. An electronic work order request will be submitted to the Physical Plant Office for processing.

All work order requests are prioritized based on the nature of the request and the current workload of the Plumbing Shop. Lower priority items such as a dripping cell faucet will be addressed as the workload allows.

/s/ J. Ellertson, Physical Plant Manager

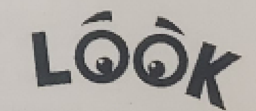
**TV Studio**    

Thank you all for your patience as we revamp and reorganize the TV studio. We should be fully staffed and finished with some of our studio upgrades and station adjustments by the end of October. As some of you already know, we have most of the regular music stations back and have added a few more in rotation for the enjoyment of everyone.

Please continue to be patient with our technicians as they work very hard at keeping this institution running. Thank you.

/s/ S. Palmer, Physical Plant Electronics Shop

# COMMISSARY




**Canteen News**

Shredded beef in broth / Idahoan potatoes:

New pallets just arrived; there is no limit on them, and they will not go against your spending limit.

shredded beef in broth $2.86
Idahoan potatoes .89 cents
(Write them in.)

## CERTIFICATE OF SERVICE

**CASE NAME:** S.J. BARRETT v. Oregon Dep't of Corrections, et al.

**CASE NUMBER:** (if known) ______

COMES NOW, S.J. Barrett, and certifies the following:

That I am incarcerated by the Oregon Department of Corrections at O.S.C.I., 3405 Deer Park DR. SE, Salem, OR, 97310.

That on the 8 day of November, 2023, I personally placed in the Correctional Institution's mailing service A TRUE COPY of the following:

Complaint for Violation of Civil Rights (prisoner), Application to proceed Pauper's, Motion for Counsel & Cover

I placed the above in a securely enclosed, postage prepaid envelope, to the person(s) named at the places addressed below:

Clerk, U.S. District Courthouse, 1000 S.W. Third Ave., Portland OR, 97204

Spencer Joseph Barrett
(Signature)

Print Name Spencer Joseph Barrett
S.I.D. No.: 22418875



Form 03.015

i

# UNITED STATES DISTRICT COURT

for the

Salem District of Oregon

__________ Division

S.J. BARRETT

Plaintiff(s)

*(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)*

-v-

Oregon Dep't of Corrections, et al.

Defendant(s)

*(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names. Do not include addresses here.)*

Case No. ____________________

*(to be filled in by the Clerk's Office)*

## COMPLAINT FOR VIOLATION OF CIVIL RIGHTS

(Prisoner Complaint)

**NOTICE**

Federal Rules of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should *not* contain: an individual's full social security number or full birth date; the full name of a person known to be a minor; or a complete financial account number. A filing may include *only*: the last four digits of a social security number; the year of an individual's birth; a minor's initials; and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed in forma pauperis.

## I. The Parties to This Complaint

### A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name: S.J. Barrett
All other names by which you have been known: Spencer Joseph Barrett
ID Number: 22418875
Current Institution: O.S.C.I.
Address: 3405 Deer Park DR. SE
Salen (City) OR (State) 97310 (Zip Code)

### B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. Make sure that the defendant(s) listed below are identical to those contained in the above caption. For an individual defendant, include the person's job or title *(if known)* and check whether you are bringing this complaint against them in their individual capacity or official capacity, or both. Attach additional pages if needed.

Defendant No. 1
Name: Oregon Dep't of Corrections
Job or Title *(if known)*
Shield Number
Employer
Address

City State Zip Code

☐ Individual capacity ☒ Official capacity

Defendant No. 2
Name: Oregon Corrections Enterprise
Job or Title *(if known)*
Shield Number
Employer
Address

City State Zip Code

☐ Individual capacity ☒ Official capacity

Defendant No. 3

Name: City of Salem

Job or Title *(if known)*:

Shield Number:

Employer: Board of Commissioners

Address:

City / State / Zip Code

☐ Individual capacity ☒ Official capacity

Defendant No. 4 - 25

Name: See attached:

Job or Title *(if known)*:

Shield Number:

Employer: ODOC; CCIC, OSP & OSCI

Address:

City / State / Zip Code

☒ Individual capacity ☐ Official capacity

## II. Basis for Jurisdiction

Under 42 U.S.C. § 1983, you may sue state or local officials for the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics, 403 U.S. 388 (1971)*, you may sue federal officials for the violation of certain constitutional rights.

A. Are you bringing suit against *(check all that apply)*:

☐ Federal officials (a *Bivens* claim)

☒ State or local officials (a § 1983 claim)

B. Section 1983 allows claims alleging the "deprivation of any rights, privileges, or immunities secured by the Constitution and [federal laws]." 42 U.S.C. § 1983. If you are suing under section 1983, what federal constitutional or statutory right(s) do you claim is/are being violated by state or local officials?

1st, 8th & 14th Ammendments

C. Plaintiffs suing under *Bivens* may only recover for the violation of certain constitutional rights. If you are suing under *Bivens*, what constitutional right(s) do you claim is/are being violated by federal officials?

# List of Defendants

1. Oregon Department of Corrections (ODOC)
2. Oregon Corrections Enterprise (OCE)
3. City of Salem (Board of Commissioners)
4. 5/30, 6/7 Arrington, in writing, CCIC
5. 6/23 Mcgraw, in person, CCIC
6. 6/27 Breen, in person during recorded Hearing, CCIC
7. 7/6, 8/2, 8/9 Inspector General, in writing & over phone
8. 7/7 LT. Brown, in person & Kite, OSP
9. 7/11 QMHP Tanya, in person, OSP
10. 7/29, 8/3 Snyder, in person, OSP
11. 8/5 Bond, in person, OSP
12. 8/5 Sgt. Heldt, in person, OSP
13. 8/11 Lawson, in writing, OSP
14. 8/15 Foss, in person during recorded hearing, OSP
15. 8/15, 9/14, 10/7 Hale, in person, OSP
16. 8/19 Sgt. Lopez, in person, OSP
17. 10/5 LT. Trimble, in person, OSP
18. 9/27 Portnoy, in person, OSP
19. 10/9 LT. Erikson, in person, OSP
20. 10/19 Buczynski, in person, OSCI & 11/1
21. 10/19 Gates, in person & Kite, OSCI
22. 10/24 Golden, in person during recorded hearing, OSCI
23. 10/24 Cpt. Asay, in writing, OSCI
24. 10/24 LT. Stevenson, in writing, OSCI
25. 10/26 Corrigan, in writing, OSCI

CCIC = Coffee Creek Intake Center
OSP = Oregon State Penitentiary
OSCI = Oregon State Correctional Institution

*all dates given in year 2023

V

D. Section 1983 allows defendants to be found liable only when they have acted "under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia." 42 U.S.C. § 1983. If you are suing under section 1983, explain how each defendant acted under color of state or local law. If you are suing under *Bivens*, explain how each defendant acted under color of federal law. Attach additional pages if needed.

Each defendant exercised power made possible because the wrongdoer(s) are clothed with the authority of State Law (See attached for more)

## III. Prisoner Status

Indicate whether you are a prisoner or other confined person as follows *(check all that apply)*:

- [ ] Pretrial detainee
- [ ] Civilly committed detainee
- [ ] Immigration detainee
- [x] Convicted and sentenced state prisoner
- [ ] Convicted and sentenced federal prisoner
- [ ] Other *(explain)*

## IV. Statement of Claim

State as briefly as possible the facts of your case. Describe how each defendant was personally involved in the alleged wrongful action, along with the dates and locations of all relevant events. You may wish to include further details such as the names of other persons involved in the events giving rise to your claims. Do not cite any cases or statutes. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. If the events giving rise to your claim arose outside an institution, describe where and when they arose.

B. If the events giving rise to your claim arose in an institution, describe where and when they arose.

05/25-07/05/23 (CCIC), 7/5-10/19 (OSP), 10/19-today (OSCI)
See attached

C. What date and approximate time did the events giving rise to your claim(s) occur?

6/23 at 2:30pm, 7/7 at 1:00am, 8/5 at 1:00pm, 10/19 at 9:00am, 11/1 at 9:00am (See attached for more)

D. What are the facts underlying your claim(s)? *(For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)*

S.J. Barnett was Sexually assaulted and deprived of Constitutional rights (see attached)

## V. Injuries

If you sustained injuries related to the events alleged above, describe your injuries and state what medical treatment, if any, you required and did or did not receive.

Serious Mental & Physical Harm (see attached)

## VI. Relief

State briefly what you want the court to do for you. Make no legal arguments. Do not cite any cases or statutes. If requesting money damages, include the amounts of any actual damages and/or punitive damages claimed for the acts alleged. Explain the basis for these claims.

Protective custody, Access to courts & Legal materials, protected property/legal documents, reliable communication System, Adequate Medical & Mental Health treatment, Religious diet & Scriptures (see attached)+$3 million in damages

## VII. Exhaustion of Administrative Remedies Administrative Procedures

The Prison Litigation Reform Act ("PLRA"), 42 U.S.C. § 1997e(a), requires that "[n]o action shall be brought with respect to prison conditions under section 1983 of this title, or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted."

Administrative remedies are also known as grievance procedures. Your case may be dismissed if you have not exhausted your administrative remedies.

A. Did your claim(s) arise while you were confined in a jail, prison, or other correctional facility?

- [x] Yes
- [ ] No

If yes, name the jail, prison, or other correctional facility where you were confined at the time of the events giving rise to your claim(s).

CCIC, OSP & OSCI (see attached)

B. Does the jail, prison, or other correctional facility where your claim(s) arose have a grievance procedure?

- [x] Yes
- [ ] No
- [ ] Do not know

C. Does the grievance procedure at the jail, prison, or other correctional facility where your claim(s) arose cover some or all of your claims?

- [ ] Yes
- [x] No
- [ ] Do not know

If yes, which claim(s)?

D. Did you file a grievance in the jail, prison, or other correctional facility where your claim(s) arose concerning the facts relating to this complaint?

☒ Yes

☐ No

If no, did you file a grievance about the events described in this complaint at any other jail, prison, or other correctional facility?

☐ Yes

☐ No

E. If you did file a grievance:

1. Where did you file the grievance?

CCIC, OSP & OSCI

2. What did you claim in your grievance?

Fears for my life, Protective Custody (see attached)

3. What was the result, if any?

Arbitration, Deliberate Indifference, Negligence

4. What steps, if any, did you take to appeal that decision? Is the grievance process completed? If not, explain why not. *(Describe all efforts to appeal to the highest level of the grievance process.)*

All possible steps: appeals & Petitions for admin. review (see attached)

F. If you did not file a grievance:

1. If there are any reasons why you did not file a grievance, state them here:

There is a limit of 4 grievances per month

2. If you did not file a grievance but you did inform officials of your claim, state who you informed, when and how, and their response, if any:

See attached for detailed list

G. Please set forth any additional information that is relevant to the exhaustion of your administrative remedies.

See attached documents (Exhibits 1-70)

*(Note: You may attach as exhibits to this complaint any documents related to the exhaustion of your administrative remedies.)*

## VIII. Previous Lawsuits

The "three strikes rule" bars a prisoner from bringing a civil action or an appeal in federal court without paying the filing fee if that prisoner has "on three or more prior occasions, while incarcerated or detained in any facility, brought an action or appeal in a court of the United States that was dismissed on the grounds that it is frivolous, malicious, or fails to state a claim upon which relief may be granted, unless the prisoner is under imminent danger of serious physical injury." 28 U.S.C. § 1915(g).

To the best of your knowledge, have you had a case dismissed based on this "three strikes rule"?

☐ Yes

☒ No

If yes, state which court dismissed your case, when this occurred, and attach a copy of the order if possible.



X

A. Have you filed other lawsuits in state or federal court dealing with the same facts involved in this action?

☐ Yes

☒ No

B. If your answer to A is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

   Plaintiff(s) ____________________

   Defendant(s) ____________________

2. Court *(if federal court, name the district; if state court, name the county and State)*

   ____________________

3. Docket or index number

   ____________________

4. Name of Judge assigned to your case

   ____________________

5. Approximate date of filing lawsuit

   ____________________

6. Is the case still pending?

   ☐ Yes

   ☐ No

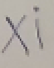
   If no, give the approximate date of disposition. ____________________

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

   ____________________

C. Have you filed other lawsuits in state or federal court otherwise relating to the conditions of your imprisonment?





☒ Yes

☒ ~~No~~

D. If your answer to C is yes, describe each lawsuit by answering questions 1 through 7 below. *(If there is more than one lawsuit, describe the additional lawsuits on another page, using the same format.)*

1. Parties to the previous lawsuit

   Plaintiff(s) Spencer Joseph Barrett

   Defendant(s) Sheriff Clifton Harrold

2. Court *(if federal court, name the district; if state court, name the county and State)*

   US District Court, District of Oregon (Eugene(6))

3. Docket or index number

   6:23-cv-00738-AR

4. Name of Judge assigned to your case

   Jeff Armistead

5. Approximate date of filing lawsuit

   05/18/2023

6. Is the case still pending?

   ☐ Yes

   ☒ No

   If no, give the approximate date of disposition 07/11/2023

7. What was the result of the case? *(For example: Was the case dismissed? Was judgment entered in your favor? Was the case appealed?)*

   "mail returned-undeliverable", Dismissed

## IX. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

### A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case–related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 11/8/23

Signature of Plaintiff: [signature]

Printed Name of Plaintiff: Spencer Joseph Barrett

Prison Identification #: 22418875

Prison Address: OSCI, 3405 Deer Park DR. SE

Salem (City) OR (State) 97310 (Zip Code)

### B. For Attorneys

Date of signing: ____________

Signature of Attorney ____________

Printed Name of Attorney ____________

Bar Number ____________

Name of Law Firm ____________

Address ____________

City ____________ State ____________ Zip Code ____________

Telephone Number ____________

E-mail Address ____________

**UNITED STATES DISTRICT COURT**
**DISTRICT OF OREGON**

S.J. BARRETT,
_______________,

*(Enter full name of Plaintiff(s))*

**Plaintiff(s),**

**v.**

Oregon Dep't of Corrections,
et al.,

*(Enter full name of ALL defendant(s))*

**Defendant(s).**

**Civil Case No.** ____________
*(to be assigned by Clerk of the Court)*

**APPLICATION TO PROCEED *IN FORMA PAUPERIS***

I, S.J. Barrett, declare that I am the plaintiff in the above entitled proceeding; that, in support of my request to proceed without prepayment of fees under 28 U.S.C. § 1915, I declare that I am unable to pay the fees for this proceeding or give security therefore and that I am entitled to the relief sought in the complaint.

In support of this application, I answer the following questions:

1. Are you currently incarcerated: ☒Yes ☐No

   If "Yes" state the place of your incarceration: OSCI, Salem, OR

   **If "Yes" and you are filing a civil action, have the institution fill out the Certificate portion of this and attach a certified copy of your prison trust account showing transactions for the past six (6) months.**

2. Are you currently employed? ☐Yes ☒No ☐Self-employed

   a. If the answer is "Yes" state:

      Employer's name: ____________________

      Employer's address: ____________________

      Amount of take-home pay or wages: $________ per ________ *(specify pay period)*



XIV

b. If the answer is "No," state:

Name of last employer: ATZZ Inc

Address of last employer: Harrisburg, OR

Date of last employment: 2019

Amount of take home salary or wages: $ 20 per hour *(specify pay period)*

3. Is your spouse or significant-other employed? ☐ Yes ☒ No ☐ Self-employed ☐ Not applicable

If the answer is "Yes," state:

Employer's name: ____________________

Employer's address: ____________________

Amount of take-home pay or wages: $________ per __________ *(specify pay period)*

4. In the past 12 months have you received any money from any of the following sources?

a. Business, profession or other self-employment ☐ Yes ☒ No

If "Yes," state: Amount received: $ __________

Amount expected in future: $ __________

b. Rent payments, interest, or dividends ☐ Yes ☒ No

If "Yes," state: Amount received: $ __________

Amount expected in future: $ __________

c. Pensions, annuities or life insurance payments ☐ Yes ☒ No

If "Yes," state: Amount received: $ __________

Amount expected in future: $ __________

d. Disability or workers compensation payments ☐ Yes ☒ No

If "Yes," state: Amount received: $ __________

Amount expected in future: $ __________

e. Gifts or inheritances ☒ Yes ☐ No

If "Yes," state: Amount received: $ 100

Amount expected in future: $ 0

f. Any other sources ☐ Yes ☒ No

If "Yes," state: Amount received: $ __________

Amount expected in future: $ __________



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5. Do you have cash or checking or savings accounts? (including prison trust accounts)? ☒ Yes ☐ No

If "Yes," state the total amount: $5.11

6. Do you own any real estate, stocks, bonds, securities, other financial instruments, automobiles or other valuable property? ☐ Yes ☒ No

If "Yes," describe the asset(s) and state the value of each asset listed.

7. Do you have any other assets? ☒ Yes ☐ No

If "Yes," list the asset(s) and state the value of each asset listed.

Phone - $50
Tablet - $50
Backpack - $20

8. Do you have any housing, transportation, utilities, or loan payments, or other regular monthly expenses? ☐ Yes ☒ No

If "Yes," describe and provide the amount of the monthly expense.

9. List the persons (or, if under 18, initials only) who are dependent on you for support, state your relationship to each person and indicate how much you contribute to their support.

Lucilia Roselyn Barrett, $0



XVi

10. Do you have any debts or financial obligations? ☒ Yes ☐ No

If "Yes" describe the amounts owed and to whom they are payable.

~$25 K Student loans

**I hereby authorize the agency having custody of me to collect from my trust account and forward to the Clerk of the United States District Court payments toward the full filing fee of $350.00 for a prisoner civil rights complaint or $5.00 for a petition for writ of habeas corpus in accordance with the Prison Litigation Reform Act, P.L. 104-134 (110 Stat. 1321), Section 804(a)(to be codified at 28 U.S.C. § 1915(b)).**

I declare under penalty of perjury that the above information is true and correct.

11/8/23
DATE

[signature]
SIGNATURE OF APPLICANT

Spencer Joseph Barrett
PRINTED NAME OF APPLICANT

**CERTIFICATE**

(To be completed by the institution of incarceration.)

I certify that S.J. Barrett (SID # 22418875) (name of applicant) has the sum of $ 0.01 on account to his/her credit at Oregon State Correctional Institution (name of institution). I further certify that during the past six months the applicant's average monthly balance was $ 0.14.

I further certify that during the past six months the average of monthly deposits to the applicant's account was $ 20.

**I have attached a certified copy of the applicant's trust account statement showing the transactions for the past six months.**

11/14/23
DATE

[signature]
SIGNATURE OF AUTHORIZED OFFICER

CERTIFIED TRUE COPY

J. Marion
Department of Corrections Official

Date: 11/14/23

MARIONJ | OREGON DEPARTMENT OF CORRECTIONS | OTRTASTA

T R U S T   A C C O U N T   S T A T E M E N T | 12.1.1.0.1.5 ODOC

DOC: 0022418875   Name: BARRETT, SPENCER JOSEPH   DOB: 04/18/1994

LOCATION: OSCI-DSU-DS_19A

Max Date:

ACCOUNT BALANCES Total: 5.11   CURRENT: 5.11   HOLD: 0.00

05/25/0223   11/05/2023

| SUB ACCOUNT | START BALANCE | END BALANCE |
|---|---|---|
| 2101 AIC SPENDING ACCOUNT | 0.00 | 0.00 |
| 2113 TRANSITIONAL SAVINGS | 0.00 | 5.10 |

DEBTS AND OBLIGATIONS

| TYPE | PAYABLE | INFO NUMBER | AMOUNT OWING | AMOUNT PAID | WRITE-OFF AMT |
|---|---|---|---|---|---|
| REST | OJD - RESTITUTION, FINES & FEES | 06132023 | 490.00 | 10.00 | 0.00 |
| LPDOCA | LEGAL COPIES DOC ADVANCE | 06092023 | 0.30 | 3.50 | 0.00 |
| LPCCCA | LEGAL POSTAGE CCCF ADVANCE | 06092023 | 0.00 | 2.01 | 0.00 |
| COPA | COPY ADVANCE | 06092023 | 0.00 | 7.80 | 0.00 |
| OCICA | OCIC POSTAGE ADVANCE | 06292023 | 0.00 | 25.47 | 0.00 |
| FDISA | DISCIPLINARY FINES ADVANCE | 09012023 | 23.40 | 26.60 | 0.00 |

TRANSACTION DESCRIPTION -- COURT ORDERED OBLIGATIONS

| DATE | TYPE | TRANSACTION DESCRIPTION | TRANSACTION AMT |
|---|---|---|---|
| 05/01/2023 | REST | New Debt Received | 500.00 |

TRANSACTION DESCRIPTIONS -- 2101 AIC SPENDING SUB-ACCOUNT ACCOUNT

| DATE | TYPE | TRANSACTION DESCRIPTION | TRANSACTION AMT | BALANCE |
|---|---|---|---|---|
| 05/26/2023 | AD | Cash on Arrival | 0.00 | 0.00 |
| 05/31/2023 | DEP | CCCF Intake Deposit | 1.90 | 1.90 |
| 05/31/2023 | DED | Deduction-TRSA-05262023 D D | ( 0.10) | 1.80 |
| 05/31/2023 | DED | Deduction-CLR-05262023 D D | ( 0.95) | 0.85 |
| 05/31/2023 | DED | Deduction-CLR-05262023 D D | 0.95 | 1.80 |
| 06/05/2023 | LPDOCS | CCCF Legal Priority Copies DOC Sale | ( 1.00) | 0.80 |
| 06/09/2023 | LPCCCS | Legal Postage CCCF Sale | ( 0.67) | 0.13 |
| 06/09/2023 | LPCCCA | Legal Postage CCCF Advance | 0.67 | 0.80 |
| 06/09/2023 | LPCCC | Legal Postage CCCF Debt | ( 0.67) | 0.13 |
| 06/09/2023 | LPCCCA | Legal Postage CCCF Advance | 0.67 | 0.80 |
| 06/09/2023 | LPCCC | Legal Postage CCCF Debt | ( 0.67) | 0.13 |
| 06/09/2023 | LPCCCA | Legal Postage CCCF Advance | 0.67 | 0.80 |

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MARIONJ

OREGON DEPARTMENT OF CORRECTIONS

T R U S T   A C C O U N T   S T A T E M E N T

OTRTASTA
12.1.1.0.1.5 ODOC

DOC: 0022418875    Name: BARRETT, SPENCER JOSEPH    DOB: 04/18/1994

LOCATION: OSCI-DSU-DS_19A

Max Date:

| DATE | TYPE | TRANSACTION DESCRIPTION | TRANSACTION AMT | BALANCE |
|---|---|---|---|---|
| 06/09/2023 | LPCCC | Legal Postage CCCF Debt | ( 0.67) | 0.13 |
| 06/09/2023 | LPDOCA | Legal Priority Copies DOC Advance | 0.30 | 0.43 |
| 06/09/2023 | LPDOC | Legal Priority Copies DOC Debt | ( 0.30) | 0.13 |
| 06/09/2023 | LPDOCA | Legal Priority Copies DOC Advance | 1.60 | 1.73 |
| 06/09/2023 | LPDOC | Legal Priority Copies DOC Debt | ( 1.60) | 0.13 |
| 06/09/2023 | COPA | Copy Advance | 7.50 | 7.63 |
| 06/09/2023 | COP | Copy Debt | ( 7.50) | 0.13 |
| 06/09/2023 | LPDOCA | Legal Priority Copies DOC Advance | 1.60 | 1.73 |
| 06/09/2023 | LPDOC | Legal Priority Copies DOC Debt | ( 1.60) | 0.13 |
| 06/12/2023 | COPA | Copy Advance | 0.30 | 0.43 |
| 06/12/2023 | COP | Copy Debt | ( 0.30) | 0.13 |
| 06/13/2023 | DEP | BARRETT COLLEEN F | 50.00 | 50.13 |
| 06/13/2023 | DED | Deduction-REST-06132023 D D | ( 5.00) | 45.13 |
| 06/13/2023 | DED | Deduction-TRSA-05262023 D D | ( 2.50) | 42.63 |
| 06/13/2023 | DED | Deduction-CLR-05262023 D D | ( 25.00) | 17.63 |
| 06/13/2023 | DED | Deduction-CLR-05262023 D D | 25.00 | 42.63 |
| 06/13/2023 | DED | Deduction-COPA-06092023 D D | ( 7.80) | 34.83 |
| 06/13/2023 | DED | Deduction-LPCCCA-06092023 D D | ( 2.01) | 32.82 |
| 06/13/2023 | DED | Deduction-LPDOCA-06092023 D D | ( 3.50) | 29.32 |
| 06/15/2023 | COPS | Copy Sales | ( 0.60) | 28.72 |
| 06/15/2023 | COPS | Copy Sales | ( 0.60) | 28.12 |
| 06/15/2023 | COPS | Copy Sales | ( 3.60) | 24.52 |
| 06/28/2023 | 2756A | Pay. ICS Corrections Comm System (Reg) | ( 15.00) | 9.52 |
| 06/29/2023 | OCICA | Intake Postage Advance | 25.47 | 34.99 |
| 06/29/2023 | OCIC | Intake Postage Debt -UPS | ( 25.47) | 9.52 |
| 06/30/2023 | DED | Deduction-OCICA-06292023 D D | ( 9.52) | 0.00 |
| 07/05/2023 | INT1 | Interest Distribution | 0.01 | 0.01 |
| 07/05/2023 | DED | Deduction-CLR-05262023 D D | ( 0.01) | 0.00 |
| 07/05/2023 | DED | Deduction-CLR-05262023 D D | 0.01 | 0.01 |
| 07/10/2023 | LPDOCA | Legal Priority Copies DOC Advance | 0.30 | 0.31 |
| 07/10/2023 | LPDOC | CCCF Legal Priority Copies Debt | ( 0.30) | 0.01 |
| 07/31/2023 | DED | Deduction-OCICA-06292023 D D | ( 0.01) | 0.00 |
| 08/04/2023 | INT1 | Interest Distribution | 0.01 | 0.01 |
| 08/04/2023 | DED | Deduction-CLR-05262023 D D | ( 0.01) | 0.00 |
| 08/04/2023 | DED | Deduction-CLR-05262023 D D | 0.01 | 0.01 |
| 08/31/2023 | DED | Deduction-OCICA-06292023 D D | ( 0.01) | 0.00 |
| 09/01/2023 | FDISA | Disciplinary Fines Advance | 50.00 | 50.00 |

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MARIONJ

OREGON DEPARTMENT OF CORRECTIONS

T R U S T   A C C O U N T   S T A T E M E N T

OTRTASTA
12.1.1.0.1.5 ODOC

DOC: 0022418875 Name: BARRETT, SPENCER JOSEPH DOB: 04/18/1994
LOCATION: OSCI-DSU-DS_19A

Max Date:

| DATE | TYPE | TRANSACTION DESCRIPTION | TRANSACTION AMT | BALANCE |
|---|---|---|---|---|
| 09/01/2023 | FDIS | Disciplinary Fines Debt2307AC17A35 | ( 50.00) | 0.00 |
| 09/05/2023 | INT1 | Interest Distribution | 0.01 | 0.01 |
| 09/05/2023 | DED | Deduction-CLR-05262023 D D | ( 0.01) | 0.00 |
| 09/05/2023 | DED | Deduction-CLR-05262023 D D | 0.01 | 0.01 |
| 09/07/2023 | DEP | BARRETT COLLEEN F | 50.00 | 50.01 |
| 09/07/2023 | DED | Deduction-REST-06132023 D D | ( 5.00) | 45.01 |
| 09/07/2023 | DED | Deduction-TRSA-05262023 D D | ( 2.50) | 42.51 |
| 09/07/2023 | DED | Deduction-CLR-05262023 D D | ( 25.00) | 17.51 |
| 09/07/2023 | DED | Deduction-CLR-05262023 D D | 25.00 | 42.51 |
| 09/07/2023 | DED | Deduction-CCICA-06292023 D D | ( 15.93) | 26.58 |
| 09/07/2023 | DED | Deduction-FDISA-09012023 D D | ( 1.57) | 25.01 |
| 09/29/2023 | DED | Deduction-FDISA-09012023 D D | ( 25.01) | 0.00 |
| 10/03/2023 | INT1 | Interest Distribution | 0.01 | 0.01 |
| 10/03/2023 | DED | Deduction-CLR-05262023 D D | ( 0.01) | 0.00 |
| 10/03/2023 | DED | Deduction-CLR-05262023 D D | 0.01 | 0.01 |
| 10/31/2023 | DED | Deduction-FDISA-09012023 D D | ( 0.01) | 0.00 |

TRANSACTION DESCRIPTIONS -- 2113 TRANSITIONAL SAVINGS SUB-ACCOUNT

| DATE | TYPE | TRANSACTION DESCRIPTION | TRANSACTION AMT | BALANCE |
|---|---|---|---|---|
| 05/31/2023 | DED | Deduction-TRSA-05262023 D D | 0.10 | 0.10 |
| 06/13/2023 | DED | Deduction-TRSA-05262023 D D | 2.50 | 2.60 |
| 09/07/2023 | DED | Deduction-TRSA-05262023 D D | 2.50 | 5.10 |

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# AIC Trust Account
## Records Request

| Date of Request | 11-05-2023 | | Facility | OSCI | Unit / Bunk | DS 19 A |
|---|---|---|---|---|---|---|
| AIC Name *(Print)* | Last Barrett | First Spencer | | MI J | SID Number | 22418875 |

Purpose of Request:
☒ Legal Priority *(Complete sections A & C; Section D must be completed by the Library Coordinator)*
☐ General *(Complete sections B & C)*

**A**

*I request a printout of my trust account statement for the time period indicated in section C. This request is made in accordance with the express order of:*

The court you are filing in:

- ☐ The ______________ County Circuit Court
- ☐ The Oregon Court of Appeals
- ☐ The Oregon Supreme Court
- ☒ The United States District Court
- ☐ The United States Court of Appeals for the Ninth Circuit
- ☐ The United States Supreme Court
- ☐ Other: ______________

Case Number *(if known)*: ______________

Type of document to be filed with the court:

- ☒ Application for In Forma Pauperis
- ☒ Civil Rights Complaint (1983)
- ☐ Federal Habeas Corpus
- ☐ Mandamus Circuit Court
- ☐ Mandamus Supreme Court
- ☐ Post-Conviction Petition
- ☐ State Habeas Corpus
- ☐ Writ of Certiorari
- ☐ Other: ______________

**B**

*I request a printout of my trust account statement for the time period indicated in section C for the purpose of:* ☐ Replacement statement ☐ Other reason: ______________

**C**

| *Time Period(s) Requested* | Beginning Date | End Date | Pages *Staff Use Only* |
|---|---|---|---|
| | 05/25/2023 | 11/05/2023 | |

*You will be charged according to Trust Rule 291-158-0015 at the rate of .50/page. If you do not have sufficient funds or the request is not deemed legal priority, the request will be denied.*

I understand that in signing this AIC account statement request, I have consented to the withdrawal of funds from my account by the Oregon Department of Corrections in the amount stated on the request. I also understand and agree that if sufficient funds are not available in my account at the time this withdrawal request is presented to the Department's Central Trust office (or field office) for processing, the Department has my consent to continue to withdraw funds that may in the future be deposited into my general spending trust account, without prior notice or hearing, until it has recovered funds sufficient to satisfy the amount stated on the withdrawal request.

AIC Signature: Spencer Joseph Barrett

**D**

*Library Coordinator Review*

[signature] *Signature & Stamp*

☐ *Request approved, meets legal priority criteria.* ☐ *Request denied, does not meet legal priority criteria.*

*If approved, a certified copy of the trust account statement will be provided.*

*Financial Services Staff Use Only*

| | Total number of pages produced | 3 |
|---|---|---|
| ☒ Approved / trust account statement attached. | Charge per page | $ .50 |
| ☐ Denied / AIC does not have sufficient funds for this request *(and is not legal priority)*. | Total amount to be charged to AIC's trust account | $ 1.50 |

| Staff responding to request | J. Marion | Date | 11/14/23 |
|---|---|---|---|

CD1803 (7/2020)

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(Exhibits 1-7(?))

Print Name: S.J. Barrett
Sid #: 22418875

IN THE UNITED STATES DISTRICT COURT

FOR THE STATE OF OREGON

S.J. BARRETT,
Plaintiff,

v.

O.D.O.C, et al.,
Defendants.

Case No. ____________

MOTION FOR APPOINTMENT OF COUNSEL

18 USC § 3006A(2)(B)

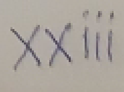
1.

COMES NOW, the Plaintiff, a prisoner not represented by counsel in the above entitled matter and, pursuant to 18 U.S.C. § 3006A (2)(B), respectfully requests this Court for its order appointing counsel to represent plaintiff in this matter. This motion is supported by a Motion to Proceed Informa Pauperis and an Application to Proceed In Forma Pauperis, the Plaintiff's Six Month Trust Statement is attached.

2.

Plaintiff believes that he is entitled to relief sought and if able would retain counsel on his/her own if financially able, to protect his interests.





3.

The interests of justice would be best served if an attorney would be appointed to the Plaintiff.

**Dated this** 8 **day of** November **20**23 **.**

Respectfully Submitted,

[signature]

(Signature)
Print Name: Spencer Joseph Barrett
Sid #: 22418875



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JS 44 (Rev. 04/21)

# CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. *(SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)*

**I. (a) PLAINTIFFS**

S.J. BARRETT

(b) County of Residence of First Listed Plaintiff Marion
*(EXCEPT IN U.S. PLAINTIFF CASES)*

(c) Attorneys *(Firm Name, Address, and Telephone Number)*

TBD

**DEFENDANTS**

Oregon Dep't of Corrections

County of Residence of First Listed Defendant Marion
*(IN U.S. PLAINTIFF CASES ONLY)*

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys *(If Known)*

**II. BASIS OF JURISDICTION** *(Place an "X" in One Box Only)*

- ☐ 1 U.S. Government Plaintiff
- ☐ 3 Federal Question *(U.S. Government Not a Party)*
- ☒ 2 U.S. Government Defendant
- ☐ 4 Diversity *(Indicate Citizenship of Parties in Item III)*

**III. CITIZENSHIP OF PRINCIPAL PARTIES** *(Place an "X" in One Box for Plaintiff and One Box for Defendant)* *(For Diversity Cases Only)*

| | PTF | DEF | | PTF | DEF |
|---|---|---|---|---|---|
| Citizen of This State | ☐ 1 | ☐ 1 | Incorporated *or* Principal Place of Business In This State | ☐ 4 | ☐ 4 |
| Citizen of Another State | ☐ 2 | ☐ 2 | Incorporated *and* Principal Place of Business In Another State | ☐ 5 | ☐ 5 |
| Citizen or Subject of a Foreign Country | ☐ 3 | ☐ 3 | Foreign Nation | ☐ 6 | ☐ 6 |

**IV. NATURE OF SUIT** *(Place an "X" in One Box Only)*

Click here for: Nature of Suit Code Descriptions.

**CONTRACT**
- ☐ 110 Insurance
- ☐ 120 Marine
- ☐ 130 Miller Act
- ☐ 140 Negotiable Instrument
- ☐ 150 Recovery of Overpayment & Enforcement of Judgment
- ☐ 151 Medicare Act
- ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans)
- ☐ 153 Recovery of Overpayment of Veteran's Benefits
- ☐ 160 Stockholders' Suits
- ☐ 190 Other Contract
- ☐ 195 Contract Product Liability
- ☐ 196 Franchise

**REAL PROPERTY**
- ☐ 210 Land Condemnation
- ☐ 220 Foreclosure
- ☐ 230 Rent Lease & Ejectment
- ☐ 240 Torts to Land
- ☐ 245 Tort Product Liability
- ☐ 290 All Other Real Property

**TORTS**

PERSONAL INJURY
- ☐ 310 Airplane
- ☐ 315 Airplane Product Liability
- ☐ 320 Assault, Libel & Slander
- ☐ 330 Federal Employers' Liability
- ☐ 340 Marine
- ☐ 345 Marine Product Liability
- ☐ 350 Motor Vehicle
- ☐ 355 Motor Vehicle Product Liability
- ☐ 360 Other Personal Injury
- ☐ 362 Personal Injury - Medical Malpractice

PERSONAL INJURY
- ☐ 365 Personal Injury - Product Liability
- ☐ 367 Health Care/ Pharmaceutical Personal Injury Product Liability
- ☐ 368 Asbestos Personal Injury Product Liability

PERSONAL PROPERTY
- ☐ 370 Other Fraud
- ☐ 371 Truth in Lending
- ☐ 380 Other Personal Property Damage
- ☐ 385 Property Damage Product Liability

**CIVIL RIGHTS**
- ☐ 440 Other Civil Rights
- ☐ 441 Voting
- ☐ 442 Employment
- ☐ 443 Housing/ Accommodations
- ☐ 445 Amer. w/Disabilities - Employment
- ☐ 446 Amer. w/Disabilities - Other
- ☐ 448 Education

**PRISONER PETITIONS**

Habeas Corpus:
- ☐ 463 Alien Detainee
- ☐ 510 Motions to Vacate Sentence
- ☐ 530 General
- ☐ 535 Death Penalty

Other:
- ☐ 540 Mandamus & Other
- ☒ 550 Civil Rights
- ☐ 555 Prison Condition
- ☐ 560 Civil Detainee - Conditions of Confinement

**FORFEITURE/PENALTY**
- ☐ 625 Drug Related Seizure of Property 21 USC 881
- ☐ 690 Other

**LABOR**
- ☐ 710 Fair Labor Standards Act
- ☐ 720 Labor/Management Relations
- ☐ 740 Railway Labor Act
- ☐ 751 Family and Medical Leave Act
- ☐ 790 Other Labor Litigation
- ☐ 791 Employee Retirement Income Security Act

**IMMIGRATION**
- ☐ 462 Naturalization Application
- ☐ 465 Other Immigration Actions

**BANKRUPTCY**
- ☐ 422 Appeal 28 USC 158
- ☐ 423 Withdrawal 28 USC 157

**INTELLECTUAL PROPERTY RIGHTS**
- ☐ 820 Copyrights
- ☐ 830 Patent
- ☐ 835 Patent - Abbreviated New Drug Application
- ☐ 840 Trademark
- ☐ 880 Defend Trade Secrets Act of 2016

**SOCIAL SECURITY**
- ☐ 861 HIA (1395ff)
- ☐ 862 Black Lung (923)
- ☐ 863 DIWC/DIWW (405(g))
- ☐ 864 SSID Title XVI
- ☐ 865 RSI (405(g))

**FEDERAL TAX SUITS**
- ☐ 870 Taxes (U.S. Plaintiff or Defendant)
- ☐ 871 IRS—Third Party 26 USC 7609

**OTHER STATUTES**
- ☐ 375 False Claims Act
- ☐ 376 Qui Tam (31 USC 3729(a))
- ☐ 400 State Reapportionment
- ☐ 410 Antitrust
- ☐ 430 Banks and Banking
- ☐ 450 Commerce
- ☐ 460 Deportation
- ☐ 470 Racketeer Influenced and Corrupt Organizations
- ☐ 480 Consumer Credit (15 USC 1681 or 1692)
- ☐ 485 Telephone Consumer Protection Act
- ☐ 490 Cable/Sat TV
- ☐ 850 Securities/Commodities/ Exchange
- ☐ 890 Other Statutory Actions
- ☐ 891 Agricultural Acts
- ☐ 893 Environmental Matters
- ☐ 895 Freedom of Information Act
- ☐ 896 Arbitration
- ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision
- ☐ 950 Constitutionality of State Statutes

**V. ORIGIN** *(Place an "X" in One Box Only)*

- ☒ 1 Original Proceeding
- ☐ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District *(specify)*
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing *(Do not cite jurisdictional statutes unless diversity)*: 1st, 8th & 14th Ammendment Violations

Brief description of cause: Deliberate Indifference, negligence, Severe mental & physical harm

**VII. REQUESTED IN COMPLAINT:** ☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND $ $3,000,000

CHECK YES only if demanded in complaint: JURY DEMAND: ☒ Yes ☐ No

**VIII. RELATED CASE(S) IF ANY** *(See instructions)*: JUDGE ______ DOCKET NUMBER ______

DATE 11/8/23

SIGNATURE OF ATTORNEY OF RECORD [signature]

FOR OFFICE USE ONLY

RECEIPT # ______ AMOUNT ______ APPLYING IFP ______ JUDGE ______ MAG. JUDGE ______

Form 39.030

XXV

# Attached Documents (Exhibits 1-70)

1. 05-30-23, G, 05-070 phone admin
2. 05-30-23, G, 05-071 PC #1
3. 06-02-23, G, 06-001, Rel. diet
4. 06-05-23, K, rel. diet (06-001)
5. 07-31-23, G.R., rel. diet (06-001)
6. 09-07-23, GA., rel. diet (06-001)
7. 06-11-23, rel. diet request receipt
8. 06-06-23, rel. diet request 1
9. 06-06-23, rel. diet request 2
10. 06-07-23, G, 06-009 PC #2
11. 06-07-23, G, 06-010, PC #3
12. 06-15-23, BHS Consent form
13. 06-14-23, M, Benton Fast n' Speedy
14. 06-16-23, G, 06-017, rel. diet
15. 06-16-23, G, rel. diet
16. 06-18-23, GR, rel. diet discrim.
17. 06-22-23, CO, Staff retaliation
18. 06-23-23, MR, "emerg. button" PC
19. 06-24-23, CD295 Rights
20. 06-24-23, CD295 Violations
21. 06-27-23, SO, 2306 CCIC 0016
22. 06-30-23, M, 23DR11697
23. 05-18 to 07-11-23, M, civil docket
24. 05-18 to 07-11-23, M, civil docket
25. 07-17-23, H, 2307 OSP 0017 OSP 35
26. 07-17-23, H, 2307 OSP 0029 OSP 35
27. 08-05-23, MR, "Gen. Pop." PC
28. 08-09-23, M, Michael A. Barnes
29. 08-11-23, G, 08-009, PC #4
30. 09-22-23, GR, 08-009, PC #4
31. 09-29-23, GA, 08-009, PC #4
32. 10-24-23, GA, 08-009, PC #4
33. 08-15-23, G, 08-065, Comm. Sys.
34. 08-29-23, G, 08-135, Access Courts 1
35. 09-19-23, GA, 08-135, Access Courts 1
36. 09-07-23, K, Property/legal docs
37. 09-08-23, K, medical
38. 09-12-23, G, 09-051, Envelopes
39. 10-19-23, GR, 09-051, Envelopes
40. 10-26-23, GA, 09-051, Envelopes
41. 09-19-23, G, 09-080, Property/legal docs
42. 09-19-23, G, 09-081, Access Courts 2
43. 10-02-23, GR, 09-081, Access Courts 2
44. 10-10-23, GA, 09-081, Access Courts 2
45. 10-24-23, GA, 09-081, Access Courts 2
46. 09-27-23, mail violation
47. 09-29-23, G, 09-123, Access Courts 3
48. 10-03-23, G, 10-025, ODOC Culture
49. 10-03-23, G, 10-027, Access Courts 4
50. 10-03-23, G, Medical & Mental PREA 10-028
51. ~~60~~ 10-10-23, G, 10-057, Access Courts 5
52. 10-13-23, K, Medical
53. 10-19-23, MR, Inadequate Mental Hlth.
54. 10-24-23, H, 2310 OSCI 0054 OSCI 38
55. 10-26-23, G, 10-091, PC #5
56. 11-1-23, MR, PC #6
57. 11-03-23, SO, 2311 OSCI 0001 OSCI
58. 10-24-23, M, list of staff
59. 10-19-23, M, PC is a necessity
60. 10-19-23, M, CC model Behaviorism
61. 10-19-23, M, archive.org/details/@SJB177
62. 10-11-23, M, Security classification
63. 10-11-23, M, Future of Democracy
64. 10-11-23, M, Justice & Community
65. 10-11-23, M, Grandparent Rights
66. 09-23, M, Arrest video, transcript, P. report
67. 8-4-23, M, Cruel & Unusual 1 Facts
68. 8-4-23, M, Cruel & Unusual 2 sex. assault
69. 8-4-23, M, Cruel & Unusual 3 Chamberlain
70. 8-4-23, M, Cruel & Unusual 4 Witnesses

G = Grievance GA = Griev. Appeal
GR = Griev. Response K = AIC comm. form AKA "Kite" H = Hearing
PC = Protective Custody
M = Mailed Document
CO = Conduct Order SO = Sanction
MR = Misconduct Report
BHS = Behavioral Health Services

Page: ____ of ____ (3 page limit)

Grievance # CCIC-2023-05-070

Official Use Only

Resubmit

## GRIEVANCE FORM

Name: Barrett Spencer J 22418875 A202A

Last First Initial SID# Cell/Block/Bunk #

Whom are you grieving: Phone Administration / call center

Please provide the date/time of incident giving rise to grievance: 5/25-29/2023

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

I have been unable to call my mom and girlfriend ~~becau~~ since I arrived because the phone continues to say I am unrolled / that a phone is unregistered that my pin is incorrect. It should not be this hard to call someone, No one has been able to help, I already submitted two Kites on the matter and have not recieved any replies. This is Torture, this is inhumane, please let me talk to someone on the outside

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

I want someone to help me make a call ASAP and to resolve this complication so others dont have to go through the same problem

5/29/2023

Date

Signature [signature]

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| | RECEIVED MAY 30 2023 CCCF GRIEVANCE OFFICE | DENIED JUN 12 2023 CCCF GRIEVANCE OFFICE | |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

Page: ____ of ____ (3 page limit)

Grievance # CCIC-2023-05-071
Official Use Only

Resubmit

## GRIEVANCE FORM

Name: Barrett Spencer J 22418875 A202A
Last First Initial SID# Cell/Block/Bunk #

Whom are you grieving: my cell mate, ~~lack of~~ PC REQUEST

Please provide the date/time of incident giving rise to grievance: 5/25-29/2023

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

I was in PC in County jail for fear of my life after as a journalist and multi-media producer and broadcaster I had made numerous publications against the crimes of the State, White Supremacists and High Profile Elites and I know the ease at which they can harm/kill me due to the lack of Prison Security! Also my cell mate makes it impossible for me to read, write, sleep and even think to myself - he is continuously talking/whispering to himself and laughing. He is obviously unstable and unwilling to talk about his thoughts and simply distracts me from doing anything productive.

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

I want Protective Custody.
I do not want to be w/ my current cell mate or any other.

5/29/2023
Date

Signature: Spencer Joseph Barrett

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| | RECEIVED MAY 30 2023 CCCF GRIEVANCE OFFICE | Returned For Correction JUN 12 2023 CCCF GRIEVANCE OFFICE | |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

Page: ___ of ___ (3 page limit)

Grievance # CCIC-2023-06-001 ___
Official Use Only    Resubmit

# GRIEVANCE FORM

Name: Barrett Spencer Joseph    22418875    A202A
Last    First    Initial    SID#    Cell/Block/Bunk #

Whom are you grieving: Staff, Kitchen or Dietary Protocol

Please provide the date/time of incident giving rise to grievance: 5/25-6/1/23

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

It feels like I am being Targetted/Bullied/disrespected when I have made multiple requests to staff in person and by Kite's (paper/in-writing) that I recieve a Vegetarian diet for Spiritual Religious reasons as well as Health/Biological

I was Vegetarian for 7+ years and have no desire to eat Meat and have still been denied/forgotten after daily requests on the matter!

Thankyou for Considering

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

Please allow me to recieve a Vegetarian meal for Breakfast Lunch & Dinner Everyday – Especially when I have consistently requested

6/1/23    Spencer Joseph Barrett
Date    Signature

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| | RECEIVED JUN 02 2023 CCCF GRIEVANCE OFFICE | ACCEPTED JUN 13 2023 CCCF GRIEVANCE OFFICE | |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |



**OREGON DEPARTMENT OF CORRECTIONS**

**AIC COMMUNICATION FORM**

**TO:** Kitchen / Religious Diet **Date:** 5/31/2023

State your issue in detail: I need to be on the Vegetarian diet. I was Kosher @ Lane county and before that vegetarian for 7+ years - its apart of my religious/Spiritual beliefs & scientific understanding (Carnivores in the wild have less than 10 feet of intestinal track and humans are more similar to Herbivore w/ around 30 feet intestinal track) it helps w/ more regular bowel movement and general heart health to be more regular. Also I appreciate Hinduism, began bhakti yoga ("love" or "devotion" yoga) @ 19, even though I find the Truth of the Spirit of Love & compassion to be foundational to most if not all major and minor religions as I am Universalist, Unitarian, pantheistic, *follow my ministry on facebook page → "Conscience Culture" and also archive.org/details/endtheschism

| AIC Committed Name (first middle last) | SID# | Housing Unit |
|---|---|---|
| Spencer Joseph Barrett | 22418875 | A202A |

Response/Action Taken: Dear Spencer: please fill out the attached, front and back, we'll send this to the State for consideration. Many blessings to you on your spiritual journey.

Sincerely,
Chaplain Melendez

Sent the req. paper 6/6/23

Date Received: 6/4/23 Referred To*:

Date Answered: 6/5/23 Signature of Staff Member: [signature]

*If forwarded, please notify the AIC

CD 214 (02/2020)

4

received 8/10

## GRIEVANCE RESPONSE FORM

**TO BE FILLED OUT BY STAFF**

**Grievance #:** CCIC-2023-06-001

response took ~70 days
6/1 – 8/9

TO: Barrett, J — 22418875 #
Name of grievant — SID #

FROM: Z.Palomo — Asst. Food Service Manag
Name of respondent — Title

List, in detail, action(s) taken. (What action was taken? Was the action what the AIC requested? If not, why? Who took the action? When was the action taken – date/time?)

Mr. Barrett, thank you for bringing this to our attention the first thing that I will tell you is that if you are wanting this as a religious accommodation, you would first need to reach out to the Chaplin to start this process .The other thing that you can do in the mean time is to keep signing up foe a M.A.T. Meat Alternative Tray until this can be resolved.

Thank You

Z.Palomo

Grievance Appeal
dated 8/30
sent 9/6

detail reasons
1) already reached out to chaplain, no effect
2) cant keep signing up if a) asleep b) don't hear call out
c) "forget" to ~~put me~~ do it or put me down (staff)

Do not type past this line

Date: 7/31/2023

Page 1 of 1

Z. Palomo 7/31/2023
Signature of Staff Member

Polly Rowland / [signature]
Signature of Supervisor (Print/Sign)

FORWARDED TO AIC

| Receiving Facility (if not processing facility) | Received at Processing Facility | Sent to AIC |
|---|---|---|
| | ACCEPTED JUL 31 2023 CCCF GRIEVANCE OFFICE | SENT JUL 31 2023 CCCF GRIEVANCE OFFICE |
| Date Stamp | Date Stamp | Date Stamp |

Distribution: AUG 09 2023
White (Original grievance response form)
OSP/MCCF GRIEVANCE OFFICE

CD117B (10/19)

5

Grievance # CCIC-2023-06-001(A) *Official Use Only* (1) *Resubmit*

## GRIEVANCE APPEAL FORM

Name: Barrett (Last) Spencer (First) J (Initial) 22418875 (SID#) SG133/OSU (Cell/Block/Bunk #)

List in detail all the reasons you disagree with the original grievance response or initial appeal response. (For the initial appeal, attach original grievance form and staff response. For the final appeal, attach the initial appeal form and response as well as the original grievance and response.)

Grievance #: CCIC-2023-06-001. I disagree with the original grievance response "reach out to the chaplain.. keep signing up for a Meat alternative tray" because: 1) I already reached out to the chaplain and have a record of my diet request being accepted, but that did nothing: my diet restriction is often ignored or forgotten and I am shamed for the inconvenience so I go without 2) I can't keep signing up for M.A.T. a) if I am asleep during the sign-up time (there is currently no working clock) or b) if I dont hear them call it out or c) if they forget to do it or accurately put me down. this issue began at CCIC but remains a problem at OSP (DSU)

Describe what action you want taken to resolve the grievance appeal if different from original grievance submission.

Change the protocol to better accomodate those who eat Vegetarian every meal - such as a permanent record/sign-up sheet or list of Vegetarians so they are not forgotten or tempted to break religious or diet restrict

Date: 8/30/23

Signature: [signature]

RECEIVED OCT 18 2023 CCCF GRIEVANCE OFFICE

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| RECEIVED SEP 07 2023 OSP/MCCF GRIEVANCE OFFICE | RECEIVED SEP 12 2023 CCCF GRIEVANCE OFFICE | Returned For Correction SEP 21 2023 CCCF GRIEVANCE OFFICE | Returned For Correction OCT 26 2023 CCCF GRIEVANCE OFFICE |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

RECEIVED OCT 10 2023 OSP/MCCF GRIEVANCE OFFICE

For grievance information see back page. Distribution: Green (Original grievance form); Goldenrod (Inmate receipt after processed)

CD 117C (10/2019)

6

**Religious Accommodation Request** (Only one item per form)

Dear Spencer, 6/14/23

These are submitted to
this copy is for your
records,

Blessings,
Chaplain Melendez

7



# Department of Corrections

## Religious Accommodation Request (Only one item per form)

*If you are making a Religious Diet Request, you must complete the Religious Diet Request Form.*

Name: Spencer Joseph Barnett SID Number: 22418875

Institution: Coffee Creek Date: 6/6/23

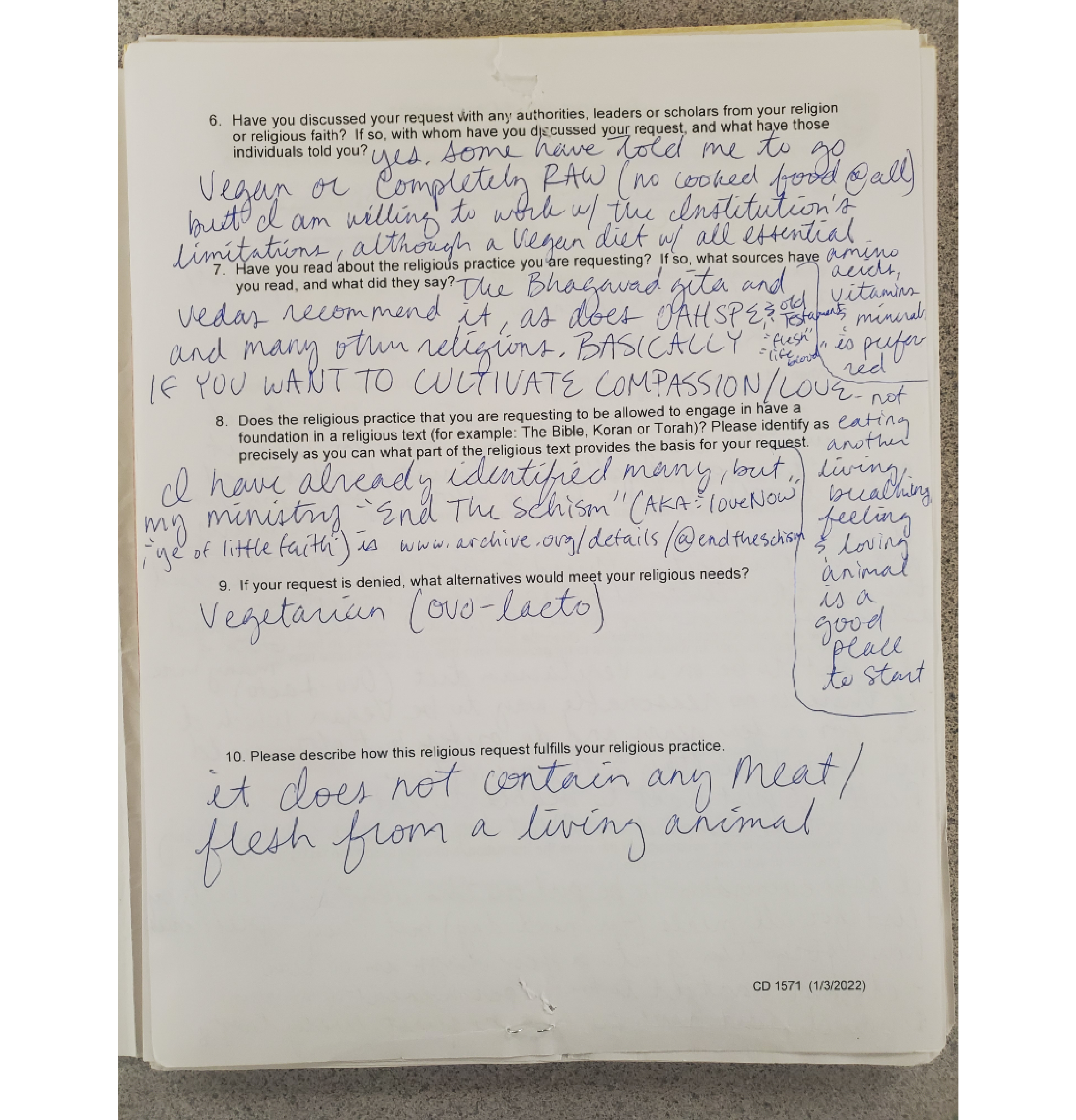
1. What is the name of your religion or religious faith? Unitarian/Universalist/Pantheism/Christian/Hindu
   AKA: LOVE

2. When did you begin practicing your religion or religious faith? Did you practice this religion or religious faith before being incarcerated?
   I first began eating a vegetarian diet after I was given the Bhagavad Gita by a monk in 2013, it means "the song of god" I was invited and stayed at a temple in San Diego before I began my own ministry

3. What religious practices have you engaged in since being incarcerated?
   I have read up on as many religions as possible and find the Uniting thread to be Love. I have read the Old & New testament, Koran, Buddhist scriptures, Zoroastrian scriptures, Old Norse (Havamal), Vedas & Bhagavad Ghita & many more.

4. What are you requesting, specifically? Describe in detail what you want to do that you cannot do now, or what you want to be provided with that you cannot have now.
   I want to be on a Vegetarian diet (Ovo-Lacto) if there is no reasonable way to be Vegan which I ate for a few years and do prefer but often could not afford healthy & organic options.
   Really, I just want to be able to eat vegetarian and not be tempted w/ Meat by someone forgetting my dietary preferences

5. How are you taking advantage of the ways the institution is already accommodating the practice of your religion or religious faith?
   I ask everyday to be put on the Vegetarian list for all meals (the next day) but they have forgotten quite a few days in a row
   - I just want it to be a permanent thing I dont have to request everyday



6. Have you discussed your request with any authorities, leaders or scholars from your religion or religious faith? If so, with whom have you discussed your request, and what have those individuals told you? yes. some have told me to go Vegan or Completely RAW (no cooked food @ all) but I am willing to work w/ the Institution's limitations, although a Vegan diet w/ all essential amino acids, vitamins, minerals is preferred

7. Have you read about the religious practice you are requesting? If so, what sources have you read, and what did they say? The Bhagavad gita and vedas recommend it, as does OAHSPE, old Testament, "flesh" = life blood, and many other religions. BASICALLY IF YOU WANT TO CULTIVATE COMPASSION/LOVE - not eating another living, breathing, feeling & loving animal is a good place to start

8. Does the religious practice that you are requesting to be allowed to engage in have a foundation in a religious text (for example: The Bible, Koran or Torah)? Please identify as precisely as you can what part of the religious text provides the basis for your request.

I have already identified many, but, my ministry "End The Schism" (AKA: loveNow; ye of little faith) is www.archive.org/details/@endtheschism

9. If your request is denied, what alternatives would meet your religious needs?

Vegetarian (ovo-lacto)

10. Please describe how this religious request fulfills your religious practice.

it does not contain any Meat/ flesh from a living animal



# Department of Corrections
## *Religious Diet Request*

*You must also complete the Religious Accommodation Request*

Name: Spencer Joseph Barrett SID: 22418875 Date: 6/6/23

1. Describe the dietary laws associated with the religion that you practice. Please explain your understanding of these laws and what is required, allowed, or prohibited.

no meat / animal-flesh
ovo-lacto Vegetarian

2. What special food preparation requirements are required to meet your religious diet needs?

no meat.

3. Are there 'extra' requirements associated with food preparation that are part of your religious belief or tradition that you feel are essential to your religious practice and, if so what are the textual or traditional grounds for these requirements and what do they require?

no.

4. Are you aware that the DOC non-meat alternative diet meets all Old Testament dietary law requirements?

yes - so long as I am actually GIVEN it for many meals I was served the regular meat diet

5. As part of your religious practice have you taken the non-meat alternative diet and, if not, why have you not done so as a way of meeting your religious needs?

yes.

Page: ____ of ____ (3 page limit)

Grievance # CCIC-2023-06-009
Official Use Only

Resubmit

## GRIEVANCE FORM

Name: Barrett (Last) Spencer (First) Joseph (Initial) 22418875 (SID#) A202A (Cell/Block/Bunk #)

Whom are you grieving: my cell mate

Please provide the date/time of incident giving rise to grievance: 9am 6/6/23

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

I have already grieved this issue and sent multiple kites regarding the lack of compatibility w/ my current cell mate. Please move me to another cell w/ someone who is quiet and respectful and not a sex offender or murderer.
I REQUEST PROTECTIVE CUSTODY
I do not deserve such inhumane treatment please respond - it is even more inhumane to completely ignore my requests and pretend like I'm not ~~here~~. here.

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

1. PROTECTIVE CUSTODY
2. SINGLE CELL
3. RESPONSE

Date: 6/6/23

Signature: 

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
|  | RECEIVED JUN 07 2023 CCCF GRIEVANCE OFFICE | DENIED JUN 16 2023 CCCF GRIEVANCE OFFICE |  |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

Page: ____ of ____ (3 page limit)

Grievance # CCIC-2023-06-010 ______

Official Use Only Resubmit

## GRIEVANCE FORM

Name: Barrett (Last) Spencer (First) Joseph (Initial) 22418875 (SID#) A202A (Cell/Block/Bunk #)

Whom are you grieving: Cell mate / Housing / lack of PC

Please provide the date/time of incident giving rise to grievance: 5/25 - 6/6/23

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

I would prefer Protective Custody w/ NO cellie @ all for reasons I have already described - but here are a few more: 1) I am very susceptible to peer pressure/influence and am loving/forgiving of those who do not share my beliefs/Religion but it is extremely damaging/harmful for me to be continuously put around people who have no desire for forgiveness, change or team-work (mutual understanding)
2) I need to be around those w/ the same beliefs/hope as me or around no-one at all OUT OF FEAR FOR MY LIFE and work as a journalist, multimedia broadcaster & producer and as a MINISTER of End the Schism ministries: LoveNOW, ye of lil faith (www.archive.org/details/@endtheschism and for my PUBLIC opposition to crimes of the STATE, WHITE SUPREMACISTS & HIGH PROFILE ELITES

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

By Moving me to a Single cell and giving me Protective Custody as I had in Lane County Jail before here!

6/6/23

Date

Spencer Joseph Barrett

Signature

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| | RECEIVED JUN 07 2023 CCCF GRIEVANCE OFFICE | DENIED JUN 16 2023 CCCF GRIEVANCE OFFICE | |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

"you're a grown ass man so we can't make you do something you don't wanna" — O'donnell
: Tuberculosis Shot?! I didn't consent! did it so quick"
: and that's a fallacy, sometimes after someone talks enough, we trust in them builds, even if they aren't worthy of it

# BEHAVIORAL HEALTH SERVICES
## INFORMED CONSENT TO TREATMENT

+ Right to Consent to a provider most similar to you (to reduce stereotype threat, golem effect, etc) - why I'd need a Civil Rights Peace activist therapist in order to trust their own "conscience" and authority/qualifications to attempt to guide my own

**Information given to Behavioral Health Services mental health treatment providers is confidential and not shared with anyone outside of Health Services without written consent of the AIC except as follows:**

Non-Health services staff may be given the AIC's name, services recommended or provided, provider's name, dates of treatment, and a brief comment about extent of participation. Mental health treatment providers may also make recommendations to non-Health Services staff about ways to help AICs with mental health problems without giving details of diagnosis or medication prescribed.

Non-Health services staff may be given some mental health information (e.g. diagnosis, symptoms of decompensation, suicide risk factors, etc.) if:

- they are currently acting within the official scope of their duties to develop or evaluate treatment strategies and plans;
- they are involved in developing correctional plans, risk or behavior management plans or suicide and crisis prevention plans as members (e.g. designated correctional counselors, mental health housing officers, etc.) of a multidisciplinary team, treatment team, committee, or other official;
- they are involved in release planning; or
- this type of disclosure is necessary or beneficial to the planning and treatment of the AIC, staff or institution safety.

**Some information is not confidential and will be reported to non-Health Services staff and/or a community agency as appropriate. This includes knowledge of:**

- danger to self or others,
- abuse of a child under 18 years of age, abuse of an adult 65 years of age or older, or abuse of individuals who meet the legal requirement of developmentally disabled or mentally ill,
- staff physical, or sexual abuse or sexual harassment of AICs,
- sexual abuse or sexual harassment of or by another AIC,
- AIC report of sexual abuse as a child if an alleged abuser is identified,
- escape plans or attempts.

**AIC rule violations may be reported when the violation poses an immediate threat to the health and safety of self, other AICs, staff, or to the community.**

**Reports will always be limited to what is necessary to maintain safety and within legal parameters.**

My signature below indicates that I understand the confidentiality policy used by BHS treatment providers.

AIC signature____________ Provider Signature ____________ Date______

### BHS MENTAL HEALTH SERVICES CONSENT TO TREATMENT

**Inmate Initials below:**

|__| I consent to mental health services which may include on-going assessment, case management, and treatment for mental health concerns.

|__| I do not consent to mental health treatment, but I understand a mental health treatment provider will follow my case to determine whether treatment should continue to be offered.

AIC Comments:

AIC Signature____________ Provider Signature____________ Date 6/15/23

AIC Name: Barrett, Spencer
SID #: 22418875

"your false narrative is actually potentially much more harmful than good - but if I had access to the records and could comment as is my Patient Right - then I might consider it because I do like talking to an intellectual"
: okay I'll check w/ my supervisor & get back to you" ~~after~~ & after questioning & showing me the release form.



— Sarah O'donnell

CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF BENTON
*Twenty-First Judicial District*
*120 NW 4th Street*
*Corvallis, OR 97330*

Mailing Address:
P.O. Box 1870
Corvallis OR 97339

Trial Court Administrator: 541-243-7819
Court Operations Supervisor: 541-243-7823
Facsimile: 541-243-7874

June 14, 2023

Spencer Joseph Barrett
Inmate – SID 22418875
CCIC
24499 SW Graham's Ferry Road
Wilsonville, OR 97070

RE: 17CR47488

Dear Mr. Barrett:

This court is in receipt of your letter requesting a 'speedy trial' on the probation violation that was filed in this matter on May 1, 2020. Your case does not qualify for a 'speedy trial' because you have already been convicted in this matter.

Regards,

Matthew J. Donohue
Circuit Court Judge

cc Benton County DA's Office

RE:RE: 17CR47488

Dear Mr. Donohue

Your Honor, I pray that you will reconsider helping me resolve the probation violation ~~that was~~ as soon as possible. Currently this detainer is causing me to be inelligible for trans-leave & AIP's (programs). Every day in here is a day I could be helping support my wife and daughter as well as my community which I am naturally inclined to serve: youtube channel, ministry websites: www.archive.org, FB pages: conscience culture, replay media productions, cascadia now corvallis

Thankyou for your consideration

Sent on 6/30/2023
God Bless you, ❤
Signed Spencer Joseph Barrett
Global Environmental & Human Rights Activist
multi media productions, broadcasting

1 Cor 12:25, 1 S 1:1-8, Matt 6:19-21

SJ Barrett

Page: ____ of ____ (3 page limit)

Grievance # CCIC-2023-06-OD
Official Use Only

Resubmit

## GRIEVANCE FORM

Name: Barrett Spencer Joseph — 22418875 — A202A
Last / First / Initial / SID# / Cell/Block/Bunk #

Whom are you grieving: Ms. Thomson - Diet

Please provide the date/time of incident giving rise to grievance: 6/15/23 ~1130am Lunch time

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

In Grievance # CCIC-2023-06-OC1 I complained about feelings of being Targetted/Bullied/Singled out for my religious diet (vegetarian) This has been exasperated by Ms. Thomson who refuses to give me a bag of chips or ice cream w/ my meal. This makes no sense, she recommends/orders me to get on another diet in order to get the desert/snack. There is no legitemate reason for this bias/disrespect - and actually vegetarians probably need the snack/desert more than the regular diet due to less calories from beans & rice. I just want to fit in as much as possible even though I dont eat meat. And Ice cream & chips is nice - if others get it I dont see why I shouldn't.

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

I want the Vegetarians to recieve the same snack & desert (as long as it doesnt have meat) as the Regular Diet. We should not be singled out. I also want a picture of the Regular Diet because the guards gave me one of the veggie diet as a reason for them to single us out (since it did not contain an image of chips / ice cream)

Date: 6/15/23

Signature: Spencer Joseph Barrett

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| | RECEIVED JUN 16 2023 CCCF GRIEVANCE OFFICE | Returned For Correction JUN 22 2023 CCCF GRIEVANCE OFFICE | |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

Page: ___ of ___ (3 page limit)

Grievance # CCIC-2023-06-021

Official Use Only

___ Resubmit

## GRIEVANCE FORM

Name: Barrett Spencer Joseph 22418875 A202A

Last First Initial SID# Cell/Block/Bunk #

Whom are you grieving: Ms. Thomson & Staff

Please provide the date/time of incident giving rise to grievance: ___

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

As retaliation for my complaints yesterday about not receiving chips/desert, they (the staff - Ms. Thomson specifically said "you're not on the vegetarian list" when I ask everyday to be put on it, have filed multiple grievance & kites and have a record of 2 pages of "Department of Corrections Religious Accomodation Request" filed on 6/6/23 (copy returned by chaplain Melodz dated 6/11/23) one grievance filed (6/15) yesterday regarding the issue and grievance # CCIC-2023-06-001 which was filed regarding "5/25 - 6/1/23" "recieved Jun 02 2023" "ACCEPTED JUN 13 2023"... No veggie meal was provided and I'm forced to go without lunch.

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

I WANT A VEGETARIAN MEAL. AND NOT TO BE SINGLED OUT/TARGETTED, I Want the Same Snack & Desert too.

6/16/23

Date

Signature: [signature]

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| | RECEIVED JUN 20 2023 CCCF GRIEVANCE OFFICE | DENIED JUN 29 2023 CCCF GRIEVANCE OFFICE | |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

This isn't in writing - can't give me conduct violation for something that doesn't exist "rule"

**Oregon Department of Corrections**
**Conduct Order**

INMATE: BARRETT S SID: 22418875 INST/BUNK: A-203-A

DISCRIMINATION

not filled

| Problem Behavior: | Reason(s) for this conduct order: |
|---|---|
| ( ) Disobedience | ATTEMPTED TO TAKE "EXTRA" |
| ( ) Disrespect | FOOD DURING CHOW |
| ( ) Property | was not given "extra" / desert at was |
| ( ) False information to staff | everyone else (regular diet) |
| ( ) Gambling | ice cream is also not on the menu |
| ( ) Contraband | Being Targetted / Bullied / Harassed for my |
| ( ) Unauthorized area | Religious Freedom / Diet |
| ( ) Horseplay | |
| ( ) Other: | |

Date of Incident: 6-18-23 Time of Incident: 11:50 A.M

Staff Name/Signature: BOYLAN [signature] Date: 6-18-23 Time: 11:59 A.M

***********************************Sanctions Imposed***********************************

No more than two sanctions (interventions) may be imposed without management authorization. Describe specifics in detail below. It is the responsibility of the staff person imposing the sanctions (interventions) to confirm completion.

( ) Acknowledgment of infraction and apology letter *(one page maximum)*
( ) Facilitated phone call to family/mentor ***(counselor must be present to facilitate)***
( ) Community service ***(four hours maximum)***
( ) Write report on the subject of the problem behavior ***(two pages maximum)***
( ) Extra work detail ***(four hours maximum)***
( ) Personal electronics restrictions:
☑ Up to 24 hours ☐ Up to 48 hours ☐ Up to 72 hours
( ) Cell-in[1]:
☐ Up to 24 hours ☐ Up to 48 hours ☐ Up to 72 hours
( ) Other:

"Every institution does this"
"just because everyone does it doesn't mean its the right thing to do"
* * * * *
* STANDING UP FOR VEGETARIAN EQUALITY, RIGHTS, RESPECT, FREEDOM * * * * * * *

[1]You are ordered to remain in your assigned cell/bunk for a period of 24 hours.
**Beginning** (date) 6-18-23 at 11:50 (a.m. /p.m.)
**Ending** (date) 6-19-23 at 11:50 (a.m. /p.m.)
[1]You are restricted from all leisure time activities and may not exit your cell/bunk area except for the following mentioned reasons without staff authorization. You are permitted to go directly to and from meals, OCP work or program assignments and attend one religious service weekly for the duration of this conduct order.

(✓) Misconduct history, conduct order history and offender information reviewed by staff. **(Required)**
( ) *Level of Service/Case Management Inventory* (LS/CMI) case plan reviewed by staff, if available. **(Optional)**
( ) *Behavior Chain Analysis* form (CD 1612) assigned to inmate and reviewed by staff. **(Optional)**

Lead Worker Name/Signature: Blankenbaker [signature] Date: 6/18/23 Time: 12:20pm

Authorizer Name/Signature: ______ Date: ______ Time: ______

Order: (X) Approved ( ) Cancelled ( ) Modified: ______

The staff person issuing the conduct order and their lead worker will review the problem behavior(s) with the involved inmate and Security will impose sanctions (interventions.) Conduct orders must be reviewed and authorized by the Functional Unit Manager or designee (e.g., Officer-in-Charge/Assistant Officer-in-Charge.) This order may be amended or modified by the authorizing party at any time. **All conduct orders will be recorded in the DOC400 on the conduct order screen.** Copies will be circulated to the affected parties at the time the conduct order is authorized.

Inmate copy delivered by: Blankenbaker [signature] 6/18/23 12:20pm
Staff Name/Signature Date/Time Served

**Original** – Inmate Copy; **Yellow** – Housing Unit File; **Pink** – OIC; **Goldenrod** – Counselor/STM

CD 708 (rev.2/16)

16.

How to: Challenge / dispute

**Oregon Department of Corrections**
**Conduct Order**

INMATE: BARRETT, SPENCER SID: 22418875 INST/BUNK: A202A

| Problem Behavior: | Reason(s) for this conduct order: |
|---|---|
| ( ) Disobedience<br>( ) Disrespect<br>( ) Property<br>( ) False information to staff<br>( ) Gambling<br>( ) Contraband<br>( ) Unauthorized area<br>( ) Horseplay<br>( ) Other: | AT THE 11:05AM COUNT, I ANNOUNCED "COUNT TIME! SIT UP!" AIC BARRETT WAS SLEEPING. I HAD TO BANG ON THE DOOR SEVERAL TIMES TO WAKE HIM, THIS PROLONGED THE COUNT. |

Date of Incident: 6/22/2023 Time of Incident: 11:05AM

Staff Name/Signature: M. Thompson Date: 6/22/23 Time: 11:23AM

******************************Sanctions Imposed******************************

No more than two sanctions (interventions) may be imposed without management authorization. Describe specifics in detail below. It is the responsibility of the staff person imposing the sanctions (interventions) to confirm completion.

( ) Acknowledgment of infraction and apology letter *(one page maximum)*
( ) Facilitated phone call to family/mentor *(counselor must be present to facilitate)*
( ) Community service *(four hours maximum)*
( ) Write report on the subject of the problem behavior *(two pages maximum)*
( ) Extra work detail *(four hours maximum)*
( ) Personal electronics restrictions:
☐ Up to 24 hours ☐ Up to 48 hours ☐ Up to 72 hours
(X) Cell-in[1]:
☒ Up to 24 hours ☐ Up to 48 hours ☐ Up to 72 hours
( ) Other:

[1]You are ordered to remain in your assigned cell/bunk for a period of 8 hours.
**Beginning** (date) 6/22/23 at 11:05 (a.m./p.m.) [a.m. circled]
**Ending** (date) 6/22/23 at 7:05 (a.m./p.m.) [p.m. circled]
[1]You are restricted from all leisure time activities and may not exit your cell/bunk area except for the following mentioned reasons without staff authorization. You are permitted to go directly to and from meals, OCP work or program assignments and attend one religious service weekly for the duration of this conduct order.

(X) Misconduct history, conduct order history and offender information reviewed by staff. **(Required)**
( ) *Level of Service/Case Management Inventory* (LS/CMI) case plan reviewed by staff, if available. **(Optional)**
( ) *Behavior Chain Analysis* form (CD 1612) assigned to inmate and reviewed by staff. **(Optional)**

Lead Worker Name/Signature: Cpl. Brzentes Date: 6-22-23 Time: 11:36am

Authorizer Name/Signature: ______ Date: ______ Time: ______

Order: (✓) Approved ( ) Cancelled ( ) Modified: ______

The staff person issuing the conduct order and their lead worker will review the problem behavior(s) with the involved inmate and Security will impose sanctions (interventions.) Conduct orders must be reviewed and authorized by the Functional Unit Manager or designee (e.g., Officer-in-Charge/Assistant Officer-in-Charge.) This order may be amended or modified by the authorizing party at any time. **All conduct orders will be recorded in the DOC400 on the conduct order screen.** Copies will be circulated to the affected parties at the time the conduct order is authorized.

Inmate copy delivered by: M. Thompson (Staff Name/Signature) 6/22/23 11:38AM (Date/Time Served)

**Original** – Inmate Copy; **Yellow** – Housing Unit File; **Pink** – OIC; **Goldenrod** – Counselor/STM

CD 708 (rev.2/16)

# OREGON DEPARTMENT OF CORRECTIONS
## MISCONDUCT REPORT

CASE # ______

Name: Barrett, Spencer (Last First, MI) SID# 22418875 Housing: O103B Assignment: ______

ODOC Facility: CCIC Location of Violation: A-Unit Date: 6/23/2023 Time: 03:00pm

Charge(s) SELECT THE APPROPRIATE RULES(S)

| Rule# | Title of Rule | Rule# | Title of Rule |
| --- | --- | --- | --- |
| 4.40 | Unauthorized Area I (Major) | | Select One |
| | Select One | | Select One |
| | Select One | | Select One |

Description of Violation (Explain how you discovered/learned the facts and who, what when, where, and how. Use continuation sheet if needed.):

On June 23, 2023 at approximately 2:30pm AIC (Adult in Custody) Barrett, Spencer SID ( State Identification) #22418875 hit his Emergency button to let me know he isn' t getting along with AIC Strutton, Mark SID# 22108326. AIC Barrett, Spencer stated " Strutton called me a bitch when I asked him to not be so loud while I do my paperwork." AIC Barrett, Spencer said " I don' t need that kind of energy and vibe around me". I then asked AIC Strutton, Mark to talk to me in the corridor and he said that he wasn' t going to have an issue with him going back into the cell. I called AIC Barrett, Spencer to the corridor and told him AIC Strutton isn' t going to have an issue with him going back to the cell and I gave AIC Barrett, Spencer direct order to return to his cell after talking to him again and he said " I don' t want to go back" so I told him he can go back or go to temp holding for refusing to go back to his cell AIC Barrett, Spencer stated " I am not going back to that cell I would rather go to temp holding". After AIC Barrett, Spencer refused my direct order to return to his cell, I called Corporal Jackson to help escort AIC Barrett, Spencer to temp holding. AIC Barrett, Spencer was placed in restraints and escorted to temp holding at approximately 3:00pm without further incident.

AIC Barrett, Spencer committed 4.40 Unauthorized area by refusing to return to his cell after being given a direct order to return to his cell.

Disposition of Physical Evidence: N/A

Staff Witnesses: Corporal Jackson, Sergeant Dahlke

Immediate Action Taken: Placed in Temp Holding

Submitted by: R.McCraw [signature] (Printed Name and Signature) Officer (Title) Time: 1:05am Date: 6/24/2023

Reviewing Supervisor: T. Grumazescu [signature] (Printed Name and Signature) Lt. (Title) Time: 1:15Am Date: 6/24/23

************************PLACED IN HOLDING STATUS************************

As Officer-in-Charge, I have reviewed the foregoing Misconduct Report and find that the rule violation(s) is/are of such a serious nature that the good order and security of the facility require immediate removal of the AIC and placement in segregation status because: This AICs actions caused a threat to the safety, and security of (or) orderly operations of the facility. – mispell (CD 295)

Placed in Segregation by: GRUMAZESCU T. (Printed Name and Signature) Lt. (Title) Time: 1:15Am Date: 6/24/23

Prehearing Segregation Approved: ☐ Denied: ☐ Release Ordered: ______ (Signature) (Title) (Time/Date)

Copy Delivered by: J. Barnett [signature] (Printed Name and Signature) Cpl (Title) 6/24/23 1:45pm (Time/Date)



CD 293D(02/2021)

18

TO: BARRETT, S. 22418875 0103B

| LAST NAME | FIRST INITIAL | SID# | CELL/BUNK# |
|---|---|---|---|
| BARRETT | S. | 22418875 | 0103B |

A Hearing concerning the attached Misconduct Report will be scheduled and conducted in accordance to OAR 291-105-0005 through OAR 291-105-0100.

Notice of Hearing/Rights Served: Time: 1:42 (am/pm) Date: 6-24-23

By: J. Bennett / [signature] Corporal
Printed Name/Signature Title

************************************************************

## RIGHTS IN FORMAL AND INFORMAL HEARINGS

**1. HEARING:** You are entitled to a hearing whenever a Misconduct Report is filed against you. Prior to your hearing, you will be provided a copy of the Misconduct Report, a Notice of Hearing/Rights, and the Rules of Misconduct. Once you receive these documents, you will have at least 24 hours to prepare for your hearing, unless you waive this right. If you are charged with one or more major rule violations, you will have a formal disciplinary hearing before a Hearings Officer. If you are charged with only minor rule violations, you will have an informal disciplinary hearing before an adjudicator; unless you specifically request that the minor charges be heard at a formal hearing. Formal hearing proceedings will be recorded. 1/7

You may waive/decline your right to attend your hearing. Inappropriate behavior could also warrant your exclusion from participation in the hearing. In such cases, the hearing will be conducted in your absence and you will be notified in writing of the decision.

**2. REPRESENTATION/EVIDENCE:** You have a right to speak (2/7) on your own behalf and present evidence (3/7) at the hearing. You will be allowed to receive assistance from another person during the hearing to prepare a defense, to understand the charge or the surrounding facts and rights available to you if you have a visual, speech, or hearing disability and/or your competency is in question. 4/7

The Hearings Officer/adjudicator may exclude evidence that is determined to create a threat to the safety or security of the facility or that would not assist with the resolution of the disciplinary action. The Hearings Officer/adjudicator may consider evidence which is considered confidential and you will not be provided the names of individuals providing the information or any specific statements they may have given.

**3. INVESTIGATION/WITNESSES:** In a formal hearing, you may request an investigation (5/7) be conducted related to the charges against you or witnesses be called to testify on your behalf. However, you should submit your request for witnesses to the Hearings Officer, in writing, in advance of the hearing, and include a list of the person(s) you are requesting be called to testify and the questions sought to be posed to each person. Requests for witnesses must minimally be made to the Hearings Officer at the time of the hearing. You must provide the Hearings Officer with sufficient evidence to conclude that the results of the investigation and/or the testimony provided by witnesses will either constitute a defense to the charge(s) or substantially lessen the severity of the violation(s). Otherwise, the Hearings Officer may deny your request. Requests for witnesses made or received after a hearing is decided will not be considered. In an informal hearing, you may *request* an investigation. Adults in Custody (AIC) are not permitted to call witnesses in an informal hearing. 6/7

**4. FINDINGS/SANCTIONS:** The Hearings Officer/adjudicator will decide based upon the evidence, whether you have violated the rule(s) as charged in the misconduct report. The Hearings Officer/adjudicator may dismiss the alleged rule violation(s) for insufficient evidence or corrective action using less formalized procedures. In a formal hearing, the Hearings Officer may also find a violation of a lesser included charge. The Hearings Officer may dismiss the alleged rule violation(s) at any stage of the proceedings, with or without prejudice.

If you are found in violation, the Hearings Officer/adjudicator may impose sanctions. These sanctions may include, but are not limited to: segregation, monetary fines, loss of privileges, restitution, and basic visits.

In a formal hearing, the Hearings Officer will prepare and submit to the functional unit manager, a written Finding of Fact, Conclusion, and Preliminary Order within ten (10) working days of the conclusion of your hearing.

**5. REVIEW:** You should direct concerns or issues regarding your hearing to the functional unit manager or designee as soon as possible after the conclusion of your hearing. Upon receipt of the Preliminary Order, the functional unit manager or designee will: approve the order, amend the order, dismiss the order, or reopen to consider new evidence not submitted in the original hearing. Once the functional unit manager or designee signs the order it becomes a Final Order.

**6. PETITION FOR ADMINISTRATIVE REVIEW:** Disciplinary actions subject to review by the Inspector General or designee are:

a) Level I or II violations; or
b) Recommendations for extension of parole release date, retraction of earned time, statutory good time, or extra good time credits; or
c) Deviations from the segregation sanction listed on the grid; or
d) Any case deemed appropriate by the Inspector General or designee.

An AIC shall request an administrative review by completing the Department approved Petition for Administrative Review form (CD 1442) and submitting it to the Inspector General. The Petition for Administrative Review should minimally state the following: 7/7

a) The date the hearing was completed and the case number.
b) The rule violation(s) the AIC was found in violation or sanctions(s) that meet the review criteria listed above.
c) Sufficient information to show why there is not substantial compliance with the OAR 291-105, that the finding was not based upon a preponderance of the evidence, or that the sanctions(s) imposed was not in accordance with the provisions set forth in 291-105.

The Inspector General or designee shall provide the AIC with a written response to the Petition for Administrative Review within 60 days from the date it is received. Documentation submitted to the Inspector General shall not be returned to the AIC. For more specific, detailed information regarding your rights in a disciplinary hearing, you may review the Department of Corrections rule OAR 291-105.

**********************************************************************

* ATTENTION *

If you are charged only with a minor rule violation(s) and are scheduled for an informal hearing, you should bring this form with you to the hearing. An AIC may request a formal hearing in writing below or verbally prior to the start of the informal hearing.

I understand my rights in formal and informal disciplinary hearings as stated in this Notice of Hearing/Rights form.

______________________________ ____________

AIC's Signature Date

______________________________ ____________

Adjudicator Date

I, ______________________ request a formal hearing in case # ____________________.

AIC's Signature

## 1.0 Violations Involving Property

**1.01 Arson:** An AIC commits arson when that AIC starts an unauthorized fire or causes an explosion.
**1.05 Property I:** An AIC commits Property I when that AIC, except as authorized by an employee, destroys, abuses, alters, damages, defaces, misuses, tampers with, or wastes materials or property, or fails to properly protect or produce issued property in a timely manner; and:
**1.05.01** The State-owned or employee-owned property involved exceeds $100 in value; or
**1.05.02** The misconduct involves the functioning of a security device; or
**1.05.03** The misconduct involves a threat to the safety, security, or orderly operation of a facility; or
**1.05.04** The misconduct includes possession of an unauthorized or altered blade, such as a razor blade or pencil sharpener.
**1.06 Property II (minor violation):** An AIC commits Property II when that AIC, except as authorized by an employee, destroys, alters, abuses, damages, defaces, misuses, tampers with, or wastes materials or property, or fails to properly protect or produce issued property in a timely manner.
**1.10 Contraband I:** An AIC commits Contraband I when that AIC:
**1.10.01** Possesses any intoxicant or is intoxicated; or
**1.10.02** Possesses any drug paraphernalia; or
**1.10.03** Has gone through any authorized screening process such as urinalysis, breathalyzer, oral swabs, etc. and has been found to have any controlled substance or intoxicant in urine, blood, or other body parts; or
**1.10.04** Fails to provide or refuses to submit an acceptable urine sample for testing or submits an unacceptable sample for testing; or
**1.10.05** Alters, substitutes, contaminates, or destroys a urine sample; or
**1.10.06** Possesses money in the amount of $10 or more (this excludes trust account funds); or
**1.10.07** Possesses illegitimately obtained property or trust account funds valuing $100 or more.
**1.11 Contraband II:** An AIC commits Contraband II when that AIC possesses contraband, including that listed in Contraband I and Contraband III that creates a threat to the safety, security, or orderly operation of a facility, including but not limited to:
**1.11.01** Tobacco or smoking paraphernalia, unauthorized medication, items of barter, checks, money under $10, or unauthorized sexually explicit material; or
**1.11.02** Items that were obtained by threats of or actual theft, forgery, or coercion.
**1.12 Contraband III (minor violation):** An AIC commits Contraband III when that AIC possesses contraband, including that listed in Contraband I and Contraband II, or un-cancelled stamps, expired self-medication, legal material belonging to another AIC, or property in excess of that authorized.
**1.15 Drug Possession:** An AIC commits Drug Possession when that AIC possesses a controlled substance.
**1.20 Possession of Body Modification Paraphernalia:** An AIC commits Possession of Body Modification Paraphernalia when that AIC possesses items capable of being used in body modification, including but not limited to, motors, needles, and ink.
**1.25 Unauthorized Use of Information Systems I:** An AIC commits Unauthorized Use of Information Systems I when that AIC operates or uses any information system equipment (including terminals, personal computers, tablet computers, minicomputers, work stations, controllers, printers, copiers, fax machines, or phones) if the usage exceeds the conditions of use or access granted by the Director, functional unit manager, or designee in the following manner:
**1.25.01** To send, receive, or read messages or e-mails, access the Internet, or access any employee-only programs or computer systems; or
**1.25.02** To conduct illegitimate business activity; or
**1.25.03** To do unauthorized legal work.
**1.26 Unauthorized Use of Information Systems II:** An AIC commits Unauthorized Use of Information Systems II when that AIC operates or uses any information system equipment (including terminals, personal computers, tablet computers, minicomputers, work stations, controllers, printers, copiers, fax machines, or phones) if the usage exceeds the conditions of use or access granted by the Director, functional unit manager, or designee in the following manner:
**1.26.01** To prepare a letter or other unauthorized document; or
**1.26.02** To make copies, view video, or listen to audio files for personal use; or
**1.26.03** To use the phone, Video Interactive Phone system, or any incentive level electronic device in excess of, or outside, the parameters permitted under the Department's rules.

## 2.0 Violations Against Persons

**2.01 Staff Assault I**: An AIC commits Staff Assault I when that AIC:
**2.01.01** Causes physical injury to or commits a physical attack on an employee, public safety officer, or non-employee service provider; or
**2.01.02** Causes bodily fluids (human or animal) to come in contact with an employee, public safety officer, or non-employee service provider; or
**2.01.03** Commits a physical attack on an employee, visitor, public safety officer, or non-employee service provider and uses a dangerous or deadly weapon; or
**2.01.04** Harms or endangers the well-being of an animal in the care and custody of DOC or used to conduct DOC affairs; or
**2.01.05** Refuses to stop any assaultive behavior after being ordered to do so, which necessitates an employee to use physical force to stop the behavior and which results in employee injury.
**2.02 Staff Assault II**: An AIC commits Staff Assault II when that AIC commits a physical attack on an employee, public safety officer, non-employee service provider, or animal in the care and custody of DOC.
**2.03 Assault of a Member of the Public**: An AIC commits Assault of a Member of the Public when that person commits a physical attack, endangers the well-being of, or causes bodily fluids (human or animal) to come in contact with any person or animal who is not an employee, a non-employee service provider, AIC in the care and custody of DOC, or an animal in the care and custody of DOC.
**2.05 AIC Assault I**: An AIC commits AIC Assault I when that AIC:
**2.05.01** Causes serious physical injury to another AIC or causes injury to another AIC that requires transporting the AIC to an outside agency for medical care; or
**2.05.02** Causes physical injury to another AIC and uses a dangerous or deadly weapon; or
**2.05.03** Commits a unilateral attack in a location or under circumstances that create a threat to the safety, security, or orderly operation of a facility; or
**2.05.04** Refuses to stop assaultive behavior after being ordered to do so which necessitates an employee to use physical force to stop the assaultive behavior; or
**2.05.05** Causes bodily fluids (human or animal) to come in contact with another AIC.
**2.06 AIC Assault II:** An AIC commits AIC Assault II when that AIC:
**2.06.01** Commits a unilateral attack or is involved in a mutual fight that causes physical injury to another AIC; or
**2.06.02** Is involved in a mutual fight in a location or under circumstances that create a threat to the safety, security, or orderly operation of a facility.
**2.07 AIC Assault III:** An AIC commits AIC Assault III when that AIC commits a unilateral attack or is involved in a mutual fight with another AIC.
**2.10 Disrespect I:** An AIC commits Disrespect I when that AIC directs hostile, sexual, abusive, or threatening language or gestures (verbal or written) toward or about another person that involves racial, religious, or sexual harassment or a physical threat to the other person.
**2.11 Disrespect II:** An AIC commits Disrespect II when that AIC directs hostile, sexual, abusive, or threatening language or gestures (verbal or written) toward or about another person, in a manner or circumstances that create a threat to the safety, security, or orderly operation of a facility.
**2.12 Disrespect III (minor violation):** An AIC commits Disrespect III when that AIC directs hostile, sexual, abusive, or threatening language or gestures (verbal or written) toward or about another person.
**2.15 Extortion I:** An AIC commits Extortion I when that AIC compels or induces any person, who is not an AIC, to act or refrain from acting, by threats, force, or intimidation.
**2.16 Extortion II:** An AIC commits Extortion II when that AIC:
**2.16.01** Compels or induces another AIC to act or refrain from acting by threats, force, or intimidation; or
**2.16.02** Compels or induces an employee to act, to refrain from acting, or to refrain from performing a job duty through use of demands.
**2.20 Sexual Assault/Abuse:** An AIC commits Sexual Assault/Abuse when that person engages in sexual activity and the victim does not

consent, is unable to consent or refuse consent, or is coerced into such activity by expressed or implied threats of violence.
**2.25 Sexual Harassment:** An AIC commits Sexual Harassment when that AIC:
**2.25.01** Makes repeated and unwelcomed sexual advances or requests for sexual favors, or
**2.25.02** Makes repeated and unwelcomed verbal comments, gestures, or actions of a derogatory or offensive sexual nature, directed toward or about another, including demeaning references to gender; or
**2.25.03** Makes repeated and unwelcomed sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures.
**2.30 Non-Assaultive Sexual Activity:** An AIC commits Non-Assaultive Sexual Activity when that AIC solicits or engages in sexual activity and the sexual activity is conducted without violence, threat of violence, coercion, or use of a weapon.
**2.40 Hostage Taking:** An AIC commits Hostage Taking when that AIC seizes, holds, or otherwise significantly deprives the liberty of another person.
**2.45 Body Modification:** An AIC commits body modification when that AIC alters or allows any person to be altered by tattooing, piercing, puncturing, scarring, etc., including modifying or perpetuating any previous modification.

## 3.0 Violations Involving Fraud or Deception

**3.01 False Information to Employees I:** An AIC commits False Information to Employees I when that AIC presents or causes the presentation of false or misleading information to an employee or non-employee service provider that creates a threat to the safety, security, or orderly operation of a facility. False or misleading information shall include gestures, verbal, or written communications.
**3.02 False Information to Employees II (minor violation):** An AIC commits False Information to Employees II when that AIC presents or causes the presentation of false and misleading information to an employee or non-employee service provider. False or misleading information includes gestures, verbal, or written communications.
**3.05 Forgery:** An AIC commits Forgery when that AIC falsely makes, completes, alters, or presents a written instrument.
**3.10 Gambling:** An AIC commits Gambling when that AIC wagers anything of value in games of chance, possesses paraphernalia associated with gambling, or possesses the proceeds of gambling activity.
**3.15 Fraud:** An AIC commits fraud when that AIC deceives another person or business in order to obtain money, property, or something of value.

## 4.0 Violations Against the Orderly Operation of the Department or a Facility

**4.01 Disobedience of an Order I:** An AIC commits Disobedience of an Order I when that AIC overtly refuses to promptly or in a timely manner comply with a valid order, which creates a threat to the safety, security, or orderly operation of a facility.
**4.02 Disobedience of an Order II:** An AIC commits Disobedience of an Order II when that AIC fails to comply with a valid order, which creates a threat to the safety, security, or orderly operation of a facility.
**4.03 Disobedience of an Order III (minor violation):** An AIC commits Disobedience of an Order III when that AIC fails to comply with a valid order.
**4.04 Leave Violation:** An AIC commits a Leave Violation when that AIC:
**4.04.01** Refuses or fails to follow a valid order or condition of Short-Term Transitional Leave.
**4.04.02** Refuses or fails to follow a valid order or condition of Non-Prison Leave.
**4.05 Disturbance:** An AIC commits a Disturbance when that AIC advocates, incites, creates, engages in, maintains, or promotes a situation characterized by unruly, noisy, or violent conduct, or unauthorized group activity, which disrupts the orderly administration of or poses a direct threat to the security of a facility, facility programs, or the safety of an employee or another person.
**4.10 Distribution I:** An AIC commits Distribution I when that AIC:
**4.10.01** Distributes or receives any controlled substance, intoxicant, drug paraphernalia, or money in the amount of $10 or more (not including funds maintained by DOC in an AIC trust account); or
**4.10.02** Possesses any controlled substance, intoxicant, drug paraphernalia, or money in the amount of $10 or more (not including funds maintained by DOC in an AIC trust account), which have been packaged for distribution.
**4.11 Distribution II:** An AIC commits Distribution II when that AIC:
**4.11.01** Distributes or receives contraband that creates a threat to the safety, security, and orderly operation of a facility; or
**4.11.02** Possesses contraband that has been packaged for distribution and that creates a threat to the safety, security, and orderly operation of a facility; or
**4.11.03** Knowingly destroys evidence to interfere with an employee's ability to identify the contraband.
**4.15 Compromising an Employee:** An AIC commits Compromising an Employee when that AIC knowingly engages an employee, public safety officer, non-employee service provider, or any person involved in DOC programs or activities in a personal relationship or business transaction, excluding AICs or visitors approved under DOC visiting rules.
**4.20 Escape I:** An AIC commits Escape I when that AIC departs without authorization from:
**4.20.01** Within the security perimeter of a facility; or
**4.20.02** The immediate control of an employee or public safety officer while in secure physical custody and outside a secure facility perimeter; or
**4.20.03** The immediate control of a secure cell or housing unit.
**4.21 Escape II:** An AIC commits Escape II when that AIC departs without authorization from:
**4.21.01** The grounds of a facility without a secure perimeter; or
**4.21.02** The direct supervision of personnel authorized to supervise AICs while outside a facility secure perimeter; or
**4.21.03** Short-Term Transitional Leave or Non-Prison Leave and a warrant or an order to return the AIC has been issued.
**4.25 Possession of an Escape Device:** An AIC commits Possession of an Escape Device when that AIC possesses any item specifically designed for, physically altered for, or readily capable of being used to facilitate an escape from a facility or from custody.
**4.30 Possession of a Weapon:** An AIC commits Possession of a Weapon when that AIC possesses an instrument, article, or substance specifically designed for, physically altered for, or readily capable of causing death or serious physical injury to a person or animal.
**4.33 Possession of an Electronic Device:** An AIC commits Possession of an Electronic Device when that AIC possesses an unauthorized electronic communication device.
**4.35 Racketeering:** An AIC commits Racketeering when that AIC engages in illicit activity that is carried out for the purpose of personal or financial gain through unlawful acts.
**4.40 Unauthorized Area I:** An AIC commits Unauthorized Area I when that AIC fails to be present in any location designated by assignment, programmed activity, call out, or employee or non-employee service provider directive (or is in any location not designated by assignment, programmed activity, call out, or employee or non-employee service provider directive) that creates a threat to the safety, security, or orderly operation of a facility.
**4.41 Unauthorized Area II (minor violation):** An AIC commits Unauthorized Area II when that AIC fails to be present in any location designated by assignment, programmed activity, call out, or employee or non-employee service provider directive (or is in any location not designated by assignment, programmed activity, call out, or employee directive).
**4.45 Unauthorized Organization I:** An AIC commits Unauthorized Organization I when that AIC is part of a group of two or more persons (whether formal or informal), who collectively, or in concert, create or actively promote, recruit, participate in, or is involved in security threat activity.
**4.46 Unauthorized Organization II:** An AIC commits Unauthorized Organization II when that AIC:
**4.46.01** Supports, displays, or endorses through verbal, visual, or written acts or communication any club, association, or organization that is a security threat group; or
**4.46.02** Engages in a petition drive without specific authorization from the functional unit manager.

**Stat Auth: ORS 179.040, 421.068, 421.180, 423.020, 423.030 and 423.075**

**Stats Impl: ORS 179.040, 421.068, 421.180, 423.020, 423.030 and 423.075**



# OREGON DEPARTMENT OF CORRECTIONS
## LOSS OF PRIVILEGES SANCTION ORDER

NAME: Barrett, S CASE # 2306CCICCV6 DATE: 6-27-23

SID # 22418875 HOUSING 0103B TIME: 8:13AM

RULE(S) VIOLATED: 4.40 4.41

5 **Days loss of all privilege activities, including purchase of canteen and use of telephones, tablets, kiosks, and other communications devices.** *Unless otherwise exempted by the terms of this Sanction Order, you will remain in your assigned cell/bunk area except for: meals, call-outs, work assignment; assigned educational, professional and/or technical training classes; visits, one religious service per week, and AA/NA meetings.*

5 **Days of specific privilege:** LOP-CTS release to GP

**Effective from:** 6-23-23 **through:** 6-27-23

X Hours extra work detail to be completed by: X

**COMMENTS**: DSU Ø days
LOP 5 days 6-23-23 — 6-27-23 CTS
Fine Ø

If an adult in custody (AIC) is on loss of all privileges, unless otherwise exempted by the terms of this Sanction Order, the AIC must remain in the AIC's assigned cell/bunk area except for: meals, call-outs, work assignments; assigned educational, professional and/or technical training classes, and visits. During each week an AIC is on loss of all privileges an AIC may purchase seven (7) envelopes and basic hygiene items which include: shampoo, body lotion, toothpaste, denture cleaner, Tylenol, or medication. AICs on loss of all privileges may attend one denominational worship service of the AIC's choice each week that the AIC is on loss of all privileges.

Emergency and legal phone calls may be made in accordance with the Department of Corrections rule on Correctional Communication Systems and the established procedures of the facility of confinement. An AIC must make arrangements for emergency/legal phone calls with the appropriate designated staff member. Failure to do so constitutes a violation of the written Sanction Order.

If an AIC with sanctions is transferred from one Oregon Department of Corrections facility to another during the effective period of this Order, the AIC remains subject to the terms of the Order unless otherwise exempted by administrative action. This Sanction Order is a valid written order. AICs violating the terms of the Sanction Order may receive an additional Misconduct Report, and if the violation is established, additional disciplinary sanctions.

The Prohibited Rules of Conduct and Processing Disciplinary Actions for Adults in Custody (OAR 291-105) allows for AICs to direct concerns or issues regarding a hearing to the Functional Unit Manager or designee as soon as possible. Within ten working days following the conclusion of the hearing, the Hearings Officer shall prepare and deliver to the Functional Unit Manager or designee, a preliminary order containing the Hearings Officer's findings of fact and conclusions of law and recommendations. The Functional Unit Manager or designee shall process the preliminary order in accordance with OAR 291-105.

c/o J Davis for Breen
Hearings Officer's Signature

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# FIFTH JUDICIAL DISTRICT

COUNTY OF CLACKAMAS
807 MAIN STREET
COUNTY COURTHOUSE, OREGON CITY, OREGON 97045
DEBBIE D. SPRADLEY
TRIAL COURT ADMINISTRATOR

Court Administrator
655-8670
Traffic/Accounting
655-8453
Civil Case Unit
655-8447
Collections
655-8453
Records Management
650-3036

August 28, 2023

Spencer Joseph Barnett
2605 State Street
Salem, OR 97320
SID: 22418875

Spencer,

Thank you for reaching out via mail to follow up on your Petition for Dissolution. I believe that I vaguely remember reviewing your documents back in June of this year. I tried to do a search for your case by both Party names and was unable to find any details for your Petition. The Court does a very good job at keeping correspondence notes to existing cases, but it is near impossible to keep track of correspondence when no case number exist. It seems to me, that we have not yet accepted or processed your Petition.

To answer your question about the addresses, I do believe that using both addresses should not be an issue. I would make a note on a post it (if possible) and explain the request in detail. The Clerk that processes the case should be able to figure that out and make appropriate notes. Hopefully it will be myself. Your Mother is more than welcome to turn in a Certificate of Service when Service has been performed.

Moving forward, it might be best to possibly refile if you/Mother have not received any information on your previous Petition. If I remember correctly, I believe that a fee waiver was missing. Please be sure to send in your Petition accompanied with a fee waiver / deferral application or with the $301.00 filing fee.

Since I do not have a case to file your letter to/in, I will go ahead and keep it at my desk for the short-term future. I will also raise the awareness of my department regarding your Petition and be hopeful that your documents will come by my desk soon. Apologies for the lack of information and I wish I could give more details. I will remain positive that your goals will be back on track asap.

Warm regards,

B. Martinez

Beau Charles Martinez
Court Operations Associate

6/30/2023
23DR11697
☑ Notice to Parties
○ Discovery Notice

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What happened to Petition for Post Conv.? & motion to proceed as indigent?

**U.S. District Court**
**District of Oregon (Eugene (6))**
**CIVIL DOCKET FOR CASE #: 6:23-cv-00738-AR**

Barrett v. Harrold
Assigned to: Magistrate Judge Jeff Armistead
Cause: 28:2254 Petition for Writ of Habeas Corpus (State)

Date Filed: 05/18/2023
Date Terminated: 07/11/2023
Jury Demand: None
Nature of Suit: 530 Prisoner Petitions: Habeas Corpus (General)
Jurisdiction: Federal Question

**Petitioner**

**Spencer Joseph Barrett**

represented by **Spencer Joseph Barrett**
3928942
Lane County Adult Corrections
101 W. 5th Avenue
Eugene, OR 97401-2695
Email:
PRO SE

V.

**Respondent**

**Sheriff Clifton Harrold**

Email All Attorneys

| Date Filed | # | Docket Text |
|---|---|---|
| 05/18/2023 | 1 | Petition for Writ of Habeas Corpus (2254 - State) ***(No IFP Filed, No Filing Fee Paid)***. Filed by Spencer Joseph Barrett against Sheriff Clifton Harrold. (Attachments: # 1 Exhibit State Court Information). (jw) (Entered: 05/18/2023) |
| 05/18/2023 | 2 | **Notice of Case Assignment:** This case is assigned to Magistrate Judge Jeff Armistead. *(Deposited in outgoing mail to pro se party on 5/18/2023.)* (jw) (Entered: 05/18/2023) |
| 05/30/2023 | 3 | **ORDER:** IT IS ORDERED that Barrett must submit the $5.00 filing fee or an application to proceed in forma pauperis within 30 days of the date of this Order. The failure to do so will result in the dismissal of this action. The Clerk of the Court is DIRECTED to send Barrett a form application to proceed in forma pauperis with this order. Signed on 5/30/2023 by Magistrate Judge Jeff Armistead. *(Copy of Order and an Application to Proceed In Forma Pauperis deposited in outgoing mail to pro se party on 5/31/23.)* (sb) (Entered: 05/31/2023) |
| X 06/08/2023 | 4 | Mail Returned - Undeliverable: Order 3 sent to Spencer Joseph Barrett on 5/31/2023 returned as undeliverable. (jw) (Entered: 06/12/2023) |
| 07/11/2023 | 5 | **ORDER TO DISMISS:** Barrett did not pay the filing fee or submit an application to proceed in forma pauperis. Accordingly, IT IS ORDERED that this action is DISMISSED, without prejudice. Signed on 7/11/2023 by Judge Adrienne |

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| | | |
|---|---|---|
| | | Nelson. *(Deposited in outgoing mail to pro se party on 7/11/2023.)* (dsg) (Entered: 07/11/2023) |
| 07/11/2023 | 6 | **JUDGMENT:** IT IS ORDERED AND ADJUDGED that this Action is dismissed without prejudice. Signed on 7/11/2023 by Judge Adrienne Nelson. *(Deposited in outgoing mail to pro se party on 7/11/2023.)* (dsg) (Entered: 07/11/2023) |

Received 8/17 ~2pm

SG-112 ~~SG240~~

Oregon Department of Corrections

# Disciplinary Hearing

## Finding of Fact, Conclusion, and Order

| | | | |
|---|---|---|---|
| **Offender Name:** | Barrett, Spencer Joseph | **Case #:** | 2307 OSP 0017 OSP 35 |
| **SID:** | 22418875 | **Date(s) of Hearing:** | 07/17/2023 |

| **Rules Charged** | **Plea** |
|---|---|
| 1.10 - Contraband I | None |
| 4.01 - Disobedience of an Order I | None |

JUL 31 2023

### Procedural Points

Documentation provided at the hearing indicated that the Adult in Custody (AIC) had been given a copy of the Misconduct Report, Notice of Hearing/ Rights and the Rules of Prohibited Conduct.

Per written testimony from staff, the AIC declined to attend the hearing and, as such, waived the right to be present at the hearing.

### Finding of Fact

On July 7, 2023, Corporal Brock was working as the Behavioral Health Unit (BHU) Corporal at the Oregon State Penitentiary. Corporal Brock reports at approximately 2:15 am Adult in Custody (AIC) Barrett, Spencer (22418875) refused to provide a urine sample upon their arrival to the Disciplinary Segregation Unit (DSU). AIC Barrett was given multiple opportunities to provide a urine sample and was advised they could have up to two hours, with four cups of water with 30 minutes between each cup. AIC Barrett was told that by refusing or not being able to provide a urine sample would result in a Misconduct Report. AIC Barrett acknowledged and still refused to provide the urine sample for testing.

AIC Barrett declined to attend this hearing.

### Ultimate Findings of Fact and Conclusions

AIC failed to provide, refused to submit, or submitted an unacceptable urine sample for testing, thereby, violating Rule 1.10.04, Contraband I.

On Rule 4.01, Disobedience of an Order I, the Hearings Officer is substituting the lesser included major rule violation of Rule 4.02, Disobedience of an Order II.

AIC failed to comply with a valid order, which created a threat to the safety, security, or orderly operation of a facility, thereby, violating Rule 4.02, Disobedience of an Order II.

### Preliminary Order

AIC has had 0 major rule violation(s) in the past two years. Rule 1.10.04, Contraband I, is on Level 2 of the Major Violation Grid.

Oregon Department of Corrections

# Disciplinary Hearing

## Finding of Fact, Conclusion, and Order

**Offender Name:** Barrett, Spencer Joseph
**SID:** 22418875

**Case #:** 2307 OSP 0017 OSP 35
**Date(s) of Hearing:** 07/17/2023

| Rule | Charge |
|---|---|
| Contraband I | Violation |

| Sanctions | Begin Date | End Date | Days | Amount | Suspended Thru | Notes |
|---|---|---|---|---|---|---|
| Basic Visits | | | 180 | | | upon return to general prison population housing, Credit for time served. |
| Disciplinary Segregation | 7/7/2023 | 8/5/2023 | 30 | | | |
| Fine | | | | $50.00 | | |
| Loss of privileges | | | 14 | | | Upon release from segregation. |

| Rule | Charge |
|---|---|
| Disobedience of an Order II | Violation |

| Sanctions | Begin Date | End Date | Days | Amount | Suspended Thru | Notes |
|---|---|---|---|---|---|---|
| Merged per OAR 291-105-0066(8) | | | 0 | | | |

**Hearing Officer:** Foss, Ronnie [signature] **Date:** 07/17/2023
**Functional Unit Manager:** [signature] D Wilson **Date:** 7-31/23

**Final Order:** ☒ Approved ☐ Order Hearing Reopened ☐ Amended per below

received 545pm 8/1

56112

Oregon Department of Corrections

# Disciplinary Hearing

## Finding of Fact, Conclusion, and Order

| | | | |
|---|---|---|---|
| **Offender Name:** | Barrett, Spencer Joseph | **Case #:** | 2307 OSP 0029 OSP 35 |
| **SID:** | 22418875 | **Date(s) of Hearing:** | 07/17/2023, 07/24/2023 |

**Rules Charged**

1.15 - Drug Possession

**Plea**

None

AUG 0 1 2023

### Procedural Points

All relevant documentary evidence was considered by the Hearings Officer.

Documentation provided at the hearing indicated that the Adult in Custody (AIC) had been given a copy of the Misconduct Report, Notice of Hearing/ Rights and the Rules of Prohibited Conduct.

Per written testimony from staff, the AIC declined to attend the hearing and, as such, waived the right to be present at the hearing.

### Finding of Fact

On July 7, 2023, Officer Rasmussen escorting the Decontamination team in Cell E-274, housing Adult in Custody (AIC) Barnes, Michael (22072285) and Barrett, Spencer (22418875), at the Oregon State Penitentiary. Officer Rasmussen reports upon the cell being cleaned seeing a small saran wrapped bag with a white substance in it. Officer Rasmussen unwrapped the bag and found it contained thin white paper with some discoloration. Officer Rasmussen reports field testing the item found and receiving a presumptive positive for methamphetamine. The suspected methamphetamine was placed in an SIU locker.

Evidence Technician Lewis reports testing the substance pertaining to the AICs. Evidence Technician Lewis reports. "My test results indicate no controlled substance present."

Photographs of the field tests conducted, and substance found were provided for the hearing.

AIC Barrett and AIC Barnes both declined to be present for their respective hearings.

### Ultimate Findings of Fact and Conclusions

Rule 1.15, Drug Possession, is dismissed due to insufficient evidence.

### Preliminary Order





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Oregon Department of Corrections

# Disciplinary Hearing

## Finding of Fact, Conclusion, and Order

**Offender Name:** Barrett, Spencer Joseph
**SID:** 22418875

**Case #:** 2307 OSP 0029 OSP 35
**Date(s) of Hearing:** 07/17/2023, 07/24/2023

| Rule | Charge |
|---|---|
| Drug Possession | Dismissed |

**Hearing Officer:** Foss, Ronnie L [signature] **Date:** 07/24/2023
**Functional Unit Manager:** [signature] D. Wilson **Date:** 8/4/23
**Final Order:** ☒ Approved ☐ Order Hearing Reopened ☐ Amended per below

# OREGON DEPARTMENT OF CORRECTIONS
## MISCONDUCT REPORT

CASE # ______

Name: Barrett, Spencer (Last, First, MI) SID# 22418875 Housing: Seg Assignment: 240

ODOC Facility: OSP Location of Violation: Seg-240 Date: 8/5/20 Time: 1:00 p.m.

Charge(s) SELECT THE APPROPRIATE RULES(S)

| Rule# | Title of Rule | Rule# | Title of Rule |
|---|---|---|---|
| 4.01 | Disobedience of an Order I (Major) | | Select One |
| 4.40 | Unauthorized Area I (Major) | | Select One |
| | Select One | | Select One |

• waiting for lieutenant (Trans house packet)
• can't return to GP (celtic gang)
• already sent kites - just give me another DR if you have to...

Description of Violation (Explain how you discovered/learned the facts and who, what when, where, and how. Use continuation sheet if needed.):

On August 5th, 2023, at approximately 1:00 p.m., I was working my assigned post as the Special Housing Sergeant when I gave AIC Barrett, Spencer multiple ~~Direct Orders~~ to vacate his cell and return to General Population due to his Segregation sanction being over. AIC Barrett refused to comply placing him in an unauthorized area and creating a potential disturbance on the tier. Once the AIC finally submitted to restraints, he was removed from the tier and moved to a different cell to reduce any further issues on the tier without any further incident. End of report

witness can confirm

1. guards created disturbance
2. content of disturbance
3. minor compared to other recent disturbances

Disposition of Physical Evidence: None

Staff Witnesses: N/A

Immediate Action Taken: Removed from Segregation cell 240 and moved to cell 112

Submitted by: M. Heldt [signature] (Printed Name and Signature) Sergeant (Title) Time: 4:00 p.m. Date: 8/6/23

Reviewing Supervisor: ______ (Printed Name and Signature) ______ (Title) Time: ______ Date: ______

************************PLACED IN HOLDING STATUS************************

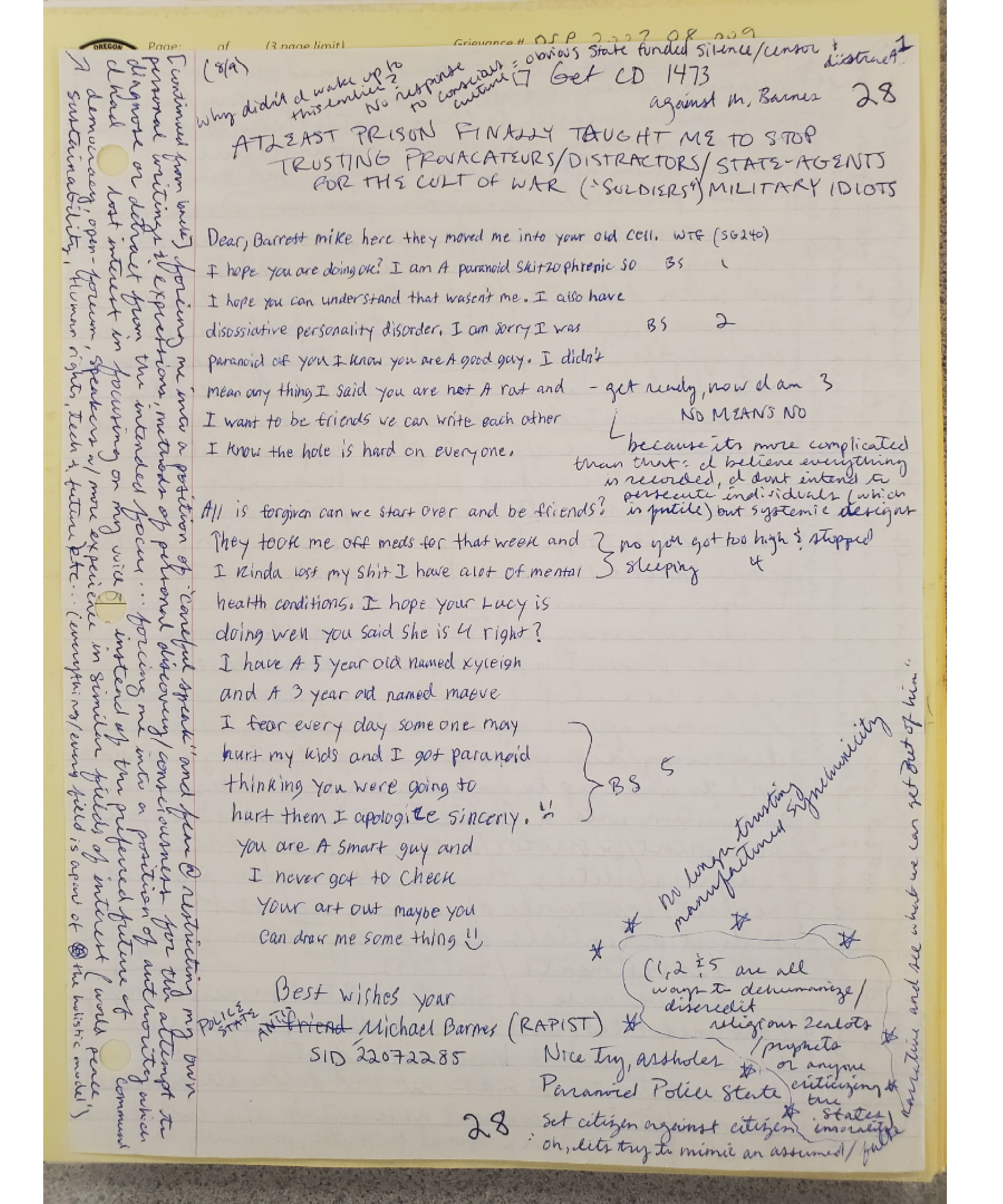
As Officer-in-Charge, I have reviewed the foregoing Misconduct Report and find that the rule violation(s) is/are of such a serious nature that the good order and security of the facility require immediate removal of the inmate and placement in segregation status because: These actions are a threat to the safety, security, and orderly operations of the institution.

Placed in Segregation by: Lt. J. Bar [signature] (Printed Name and Signature) ______ (Title) Time: 4:10pm Date: 8/6/23

Prehearing Segregation Approved: ☒ Denied: ☐ Release Ordered: ______ (Signature) ______ (Title) ______ (Time/Date)

Copy Delivered by: M. Heldt [signature] (Printed Name and Signature) Sergeant (Title) 7:00 8/6/23 (Time/Date)

CD 293D(02/2021)





(8/9) why didn't I wake up to this earlier? No response to conscious culture = obvious State funded silence/censor & distract 1

☐ Get CD 1473 against M. Barnes 28

ATLEAST PRISON FINALLY TAUGHT ME TO STOP TRUSTING PROVACATEURS/DISTRACTORS/STATE-AGENTS FOR THE CULT OF WAR ("SOLDIERS") MILITARY IDIOTS

Dear, Barrett mike here they moved me into your old cell. WTF (SG240)

I hope you are doing ok? I am A paranoid Skitzophrenic so — BS 1

I hope you can understand that wasen't me. I also have

dissosiative personality disorder. I am sorry I was — BS 2

paranoid of you I know you are A good guy. I didn't

mean any thing I said you are not A rat and — get ready, now I am 3

I want to be friends we can write each other — NO MEANS NO

I know the hole is hard on everyone. — because its more complicated than that: I believe everything is recorded, I dont intend to persecute individuals (which is futile) but systemic designs

All is forgiven can we start over and be friends?

They took me off meds for that week and

I kinda lost my shit I have alot of mental — } no you got too high & stopped sleeping 4

health conditions. I hope your Lucy is

doing well you said she is 4 right?

I have A 5 year old named xyleigh

and A 3 year old named maeve

I fear every day some one may

hurt my kids and I got paranoid

thinking you were going to

hurt them I apologize sincerly. !! — } BS 5

You are A smart guy and

I never got to check

Your art out maybe you

can draw me some thing !!

Best wishes your

~~friend~~ POLICE STATE ANTI Michael Barnes (RAPIST)

SID 22072285

no longer trusting manufactured synchronicity

(1, 2 & 5 are all ways to dehumanize/discredit religious zealots/prophets or anyone criticizing the States immorality)

Nice Try, assholes

Paranoid Police State

28 : set citizen against citizen

: oh, lets try to mimic an assumed/false narrative and see what we can get out of him.

[continued from back] forcing me into a position of "careful speak" and fear @ restricting my own personal writings & expressions, methods of personal discovery/consciousness for the attempt to diagnose or detract from the intended focus... forcing me into a position of authority which I had lost interest in focusing on my vice... instead of the preferred future of communal democracy, open-forum, speakers w/ more experience in similar fields of interest (world peace, sustainability, Human rights, Tech & future etc... (everything/every field is apart of the holistic model)

The State has a well disclosed/discovered/proven interest in defaming/defiling/mis-appropriating my life-story/narrative in conjunction/parallel to their constant efforts @ censoring and misinforming the public on Human Nature, Psuedo-community/morality/security, and our true, Highest potential. (not objective false-sense; root issue of both due to lack of examined unexamined)

currently, to my own person, censoring and restricting my "Conscious Culture" outreach and bombarding me with detractors/distractors & those interested in diagnosing/dehumanizing me through classic pathonizing efforts:
1) He's paranoid - instead of, maybe we should take his concerns seriously/sincerely
2) disassociated - instead of, maybe we are all disassociated if we refuse to take responsibility for USA's collective crimes against humanity
3) multi-personality - instead of E.I. (emotional intelligence, anger management,) education helping people become conscious of and familiar w/ their unique spectrum of expression... so you could say anyone expressing their multi "emotions is multi persona"

Anti-Psychiatry so long as it over-medicates, under educates & ignores the present day moral dilemma effecting all USA citizens. To stop deferring/dehumanizing/scape-goating individuals and to wake up to your own implication by current association with a Collective Unconscious of its footprint/behavior/actions/consequences, vulnerabilities/threats/weaknesses and its neglect/ignorance of easily accessible highest potentials and Long-Term gratifications/investments/success

all because of short sighted, money hungry (but uneducated (short term vs long term)) culture of war, unconscious business/industry leads conditioned to seek out and defer all possible blame for their current association w/ a cult of death Ruled by fear. Never opened to Truth, possibility, wonder awe.

from k2 synching
(8/9) multiple efforts made by individuals, literally quoting my publications word ~~for~~ word, pretending/deceiving in attempt to ~~...~~ grow more nonsense instead of admitting/understanding whats already been well disclosed... using my words/freedom speech against me instead of proposed community conversations
Stratford:: "Bear piss":: sleep like einstein:: "Cave man spongebob volume"

Page: ____ of ____ (3 page limit)

Grievance # OSP.2023.08.009
Official Use Only

Resubmit

## GRIEVANCE FORM

Name: Barrett Spencer Joseph 22418875 SG 112 / DSU

Last First Initial SID# Cell/Block/Bunk #

Whom are you grieving: C/O Bond & Sgt. Heldt

Please provide the date/time of incident giving rise to grievance: 8/5/23 @ 1pm

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

C/O Bond came to remove me from my cell to return to General Population. I told him I was waiting for the Lieutennant to bring me the Transitional Housing Packet / Protective Custody Form because I am afraid for my life to return after being sexually assaulted and threatened with harm and gang retaliation if I were to "snitch". The Lieutennant told me on 7/7 ~2am after making my initial PREA report in person that he would deliver the packet by the next day (which I am still waiting for after more than a month). Sgt Heldt said "whats this bullshit about you not wanting to leave?" So I told him, still he opened my cell door & tackled & restrained me. I had already sent multiple forms & spoke with multiple parties on the issue ~~and do not want~~ all I want is Protective Custody!

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

I want Protective Custody as I have requested. And also my property from cell SG-240 included legal papers & timelines I need to respond. Please

8/10/23
Date

[signature]
Signature

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| | RECEIVED AUG 11 2023 OSP/MCCF GRIEVANCE OFFICE | ACCEPTED AUG 11 2023 OSP/MCCF GRIEVANCE OFFICE | |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

# GRIEVANCE INFORMATION

(OAR Division 109 may be reviewed in its entirety in your legal library)

**291-109-0205 - Grievance and Appeal Timelines**

(1) Grievances must be received by the institution grievance coordinator or designee within 14 calendar days from the date of the incident or issue being grieved, unless the AIC can satisfactorily demonstrate why the grievance could not be timely filed. Untimely grievances will be denied and returned to the AIC with a statement of the rule.

(2) A grievance response will be sent to the AIC within 35 calendar days from the date the grievance was accepted by the institution grievance coordinator, unless further review is necessary to fully respond to the AIC's grievance, in which case the AIC will be notified that the department will respond within an additional 14 calendar days.

**291-109-0210 - Permissible Grievance Issues**

(1) An AIC may only request review of one matter, action, or incident per grievance.
  (a) If multiple staff or functional units are involved in a single incident, each should be included in a single grievance and one grievance response will be prepared from the most appropriate individual at the discretion of the institution grievance coordinator.

(3) An AIC may file a single grievance concerning any incident or issue regarding institutional life that directly and personally affects that AIC, including but not limited to:
  (a) Misapplication of departmental policies, rules, or other directives;
  ✓ (b) Unprofessional actions of department employees, volunteers, or contractors;
  ✓ (c) Inadequate medical or mental health treatment;
  ✓ (d) Sexual abuse or sexual harassment; and
  ✓ (e) Excessive use of force by department employees.

(4) An AIC cannot grieve the following:
  (a) Any matter that does not directly and personally affect the AIC;
  (b) Any matter in which the AIC lacks personal knowledge of the incident or issue;
  (c) Any matter that is outside of the jurisdiction of the department (for example, actions by the Board of Parole and Post-Prison Supervision);
  (d) Any matter that may be reviewed through a separate review process under the Department's rules. Examples include, but are not limited to, the review processes set out in the following Department rules: (See rule 109 for details)
  (e) Daily fails as defined in the DOC rule on Performance Recognition and Award System - (OAR 291-077-0033);
  (f) Conduct orders, investigations leading to a conduct order, or conduct order sanction(s);
  (g) Misconduct reports, investigations leading to or arising from misconduct reports, or disciplinary hearings, findings, and sanctions;
  (h) Claims or issues the AIC has pursued or is pursuing in pending litigation in state or federal courts;
  (i) Group grievances representing other AICs, or acts where an AIC is a spokesperson for other AICs; and
  (j) The processing of or response to grievances, grievance appeals, discrimination complaints, discrimination complaint appeals or other separate review processes.

**291-109-0225 - Grievance and Appeals General Processing Standards**

(1) The institution grievance coordinator shall date stamp the grievance form or appeal upon receipt. After the form has been date stamped and recorded, the AIC will be issued a return receipt, and if accepted, the grievance or grievance appeal will be forwarded to the appropriate staff or manager for review and response.

(2) Grievances and grievance appeals returned for correction:
  (a) An AIC may elect to resubmit a grievance or grievance appeal that has been returned for correction to the AIC because it does not comply with these rules.
  (b) The grievance or grievance appeal may only be resubmitted twice and must be received by the institution grievance coordinator within 14 calendar days from when the grievance or grievance appeal was originally returned to the AIC.
  (c) If rewritten, the return receipt and original grievance or grievance appeal must also be attached.

(4) An AIC may withdraw a grievance by submitting a written request to the institution grievance coordinator at any time during the grievance process. Grievances that have been withdrawn may only be reopened upon written request, at the discretion of the institution grievance coordinator.

# GRIEVANCE RESPONSE FORM

**TO BE FILLED OUT BY STAFF**

**Grievance #:** OSP_2023_08_009

TO: Barrett, Spencer — 22418875
Name of grievant — SID #

FROM: C. Porter — Captain/PCM
Name of respondent — Title

List, in detail, action(s) taken. (What action was taken? Was the action what the AIC requested? If not, why? Who took the action? When was the action taken – date/time?)

We have received your grievance regarding an active PREA Investigation. Due the ongoing investigation I am unable to respond to anything regarding the status of the actual investigation. You stated that you originally reported this event on 7/7/2023 to an unnamed Lieutenant and that they were going to provide you with a voluntary administrative hold packet for you to sign. You state this did not happen and DSU staff attempted to release you to General Population on 08/05/2023. I am not able to substantiate an administrative hold packet prior to 8/5/2023 but, I show you have been on administrative hold since 08/05/2023, after staff attempted to release you back to general population.

1. Thanks for Response & administrative hold
2. active PREA investigation – where/why
   a) information about ~~my~~ property which included Legal Papers for Upcoming Deadlines – and why I am unable to recieve these in a timely matter (They can make copies and not disrupt/frustrate my legitimate legal efforts)
3. ~~b)~~ information why I received info stating ~~that my~~ why ~~the~~ I recieved info from 2-different sources (cell #34 adam Turvin & Michael Barnes) That the ~~man~~ Sexual Assaulter was moved into my prior cell with my property
4. ~~3.~~ unnamed Lieutenant
   - no name tags on your officers @ OSP
   - determined ~~likely~~ to be Lieutenant Brown – is there really no record? short dark hair, lanky,
   - Poor Communication System
   (low response from Kites & no record/accountability for missing or responding

Do not type past this line

Date: 9-22-23

Page 1 of 1

C. Porter
Signature of Staff Member

[signature]
Signature of Supervisor (Print/Sign)

| Receiving Facility (if not processing facility) | Received at Processing Facility | Sent to AIC |
|---|---|---|
| | RECEIVED SEP 25 2023 OSP/MCCF GRIEVANCE OFFICE | SENT SEP 25 2023 OSP/MCCF GRIEVANCE OFFICE |
| Date Stamp | Date Stamp | Date Stamp |

Distribution:
White (Original grievance response form)

CD117B (10/19)

Grievance # OSP.2023.08.009A (Official Use Only) — Resubmit: 1

# GRIEVANCE APPEAL FORM

Name: Barrett (Last) Spencer (First) J (Initial) — SID#: 22418875 — Cell/Block/Bunk #: SG133/DSU

List in detail all the reasons you disagree with the original grievance response or initial appeal response. (For the initial appeal, attach original grievance form and staff response. For the final appeal, attach the initial appeal form and response as well as the original grievance and response.)

Grievance # OSP_2023_08_009. ① thank you for the response and administrative hold ② Where is my property from cell SG 240 - I have active legal cases and deadlines I need to meet and need the 40+ documents that were in my cell (if they are being used for the PREA investigation, please copy them and return them to me if you deem them relevant to the investigation) ③ Why have I recieved information from 2 - seperate sources that the man who sexually assaulted me was moved into my cell SG240 with my property? ④ The unnamed Lieutenant has been revealed to be Lt. Brown (multiple staff witnessed & were involved in this event, is there really no record from him or other sources?) ⓐ Your officers @ OSP have no name tags ⓑ The AIC communication system "kites" is flawed with lack of records/accountability and long response times or often none at all (see griev # OSP-2023-08-065)

Describe what action you want taken to resolve the grievance appeal if different from original grievance submission.

① Proof I have recieved PC status ② information reguarding my property from cell SG-240 ③ I need my legal documents/records from cell SG-240 ④ Accountable comm. System

Date: 09/27/23

RECEIVED OCT 10 2023 OSP/MCCF GRIEVANCE OFFICE

Signature: [signature]

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| | RECEIVED SEP 29 2023 OSP/MCCF GRIEVANCE OFFICE | Returned For Correction OCT 02 2023 OSP/MCCF GRIEVANCE OFFICE | DENIED OCT 13 2023 OSP/MCCF GRIEVANCE OFFICE |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

Grievance # OSP. 2023. 08. 009A 2
Official Use Only Resubmit

# GRIEVANCE APPEAL FORM

Name: Barrett Spencer J 22418875 DSU/SG133
Last First Initial SID# Cell/Block/Bunk #

List in detail all the reasons you disagree with the original grievance response or initial appeal response. (For the initial appeal, attach original grievance form and staff response. For the final appeal, attach the initial appeal form and response as well as the original grievance and response.)

Initial appeal- returned for corrections (08-009A) Dated 10/3/23
1. I did not "expand the scope", I added new information that was unavailable to me at the time ("no new information may be submitted.. unless the information was unavailable to the AIC at the time the original grievance was filed")
2. "wrote all over original response. Grievances Appeals must be legible and written within the appropriate space provided." a) Thank you for providing me with a ~~new~~ copy of original response without my writing; b) I apologize if it may have confused you - I am indigent and re-cycle/re-use all my paper; i) ~~I did not intend for any of that writing to be considered~~; c) I expressed my main concerns legibly and on/in the appropriate space of the initial appeal and d) I am worried/confused why I must provide my own copies when you maintain your own, I am indigent and have written on most papers out of necessity

Describe what action you want taken to resolve the grievance appeal if different from original grievance submission.

Please consider the 4 actions from my initial appeal dated 09/27/23, Received Sep 29 '23, Returned for Correction Oct 02 '23. Thankyou for your consideration

10/17/23 — Date

[signature] — Signature

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| | RECEIVED OCT 24 2023 OSP/MCCF GRIEVANCE OFFICE | DENIED OCT 26 2023 OSP/MCCF GRIEVANCE OFFICE | |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

Grievance # OSP-2023-08-065 ______ 
Official Use Only — Resubmit

# GRIEVANCE FORM

Name: Barrett Spencer J 22418875 SG 112 / DSU

Last — First — Initial — SID# — Cell/Block/Bunk #

Whom are you grieving: O.D.O.C Comm. Forms Shift Supervisor, Lieutenant, Porter, Snyder, & QMHP & Medical

Please provide the date/time of incident giving rise to grievance: 7/9 - 8/12

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

I have sent atleast 6 Communication forms ("Kites") in the last month that I have not recieved back, the most recent being within the last week (8/10, 8/12). The majority have been related to my request for Protective Custody (7/9: Lieutenant, 7/30: PREA Assessment officer Snyder, 8/6: Porter, 8/10 & 8/12: Shift Supervisor) and also one Kite directed to a "Qualified Mental Health Professional &/or Medical" sent on 8/10 regarding Chest and Arm pain.
Some people, like me, have a high pain tolerance and yet we are expected to beg for help in order for the guards to find our pain "believable", because I do not beg, I have to endure much pain and Cruelty (as I'm sure, many others).

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

I would like, actually, I need a more accountable, trust-worthy communication system to ensure & confirm my questions & concerns have been recieved & responded to or I would prefer to be transferred back to Lane County Jail where staff are much more accountable, disciplined or simply caring.

Date: 8/14/23 — Signature: Spencer Joseph Barrett

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| Date Stamp | RECEIVED AUG 15 2023 OSP/MCCF GRIEVANCE OFFICE Date Stamp | DENIED AUG 21 2023 OSP/MCCF GRIEVANCE OFFICE Date Stamp | Date Stamp |

Page: ____ of ____ (3 page limit)

Grievance # OSP. 2023.08.135

Official Use Only

Resubmit

## GRIEVANCE FORM

Name: Barrett Spencer J — 22418875 — SG112/DSU

Last / First / Initial / SID# / Cell/Block/Bunk #

see grieve appeal P28.5

Whom are you grieving: Foster / Law Library

Please provide the date/time of incident giving rise to grievance: 7/7 - 8/25, 8/23

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

Since arriving in Segregation (DSU) Foster has shown up anywhere between 7-930 am and sometimes not at all, his unpredictable timing makes it difficult to catch and speak with him.
On 8/23 I asked if I could have a form to access the indigent funds in order to recieve a "Step 2 of Fast & Speedy form", he contradicted OAR 291-139-0180 by saying "There is no form.. if you're broke you're broke, but They might give you one" this was after I was told to "work with your legal officer to order form". I do not know who "They" is. The Law Library access manual is horribly insufficient, my legal aid phone call is too short and OAR 291-139-0140 says I should have "reasonable access to computer equipment"

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

I would like to access Indigent fund form or to recieve "step 2 fast & speedy" also need computer equipment to compile Tort in proper format & longer time to rent/access "Prisoners self-help Litigation Manual"

Date: 8/27/23

Signature: Spencer Joseph Barrett

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| | RECEIVED AUG 29 2023 OSP/MCCF GRIEVANCE OFFICE | DENIED SEP 07 2023 OSP/MCCF GRIEVANCE OFFICE | |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

Grievance # OSP. 2023. 08. 135 ______ Resubmit

*Official Use Only*

## GRIEVANCE APPEAL FORM

Name: Barrett (Last) Spencer (First) J (Initial) 22418875 (SID#) SG133/DSU (Cell/Block/Bunk #)

List in detail all the reasons you disagree with the original grievance response or initial appeal response. (For the initial appeal, attach original grievance form and staff response. For the final appeal, attach the initial appeal form and response as well as the original grievance and response.)

Grievance # OSP.2023.08.135 was denied for 2 reasons: 1) must be recieved by the institution coordinator within 14 days from the date of the issue being grieved. 2) An AIC may only request one matter per grievance.
I have/had already complied with those rules: The first sentence provided context for the matter to be reviewed which was explicitly stated in Sentence 2 "On 8/23 I asked..." and the grievance is stamped as "RECIEVED AUG 29 2023" (6 days after the issue being grieved). So, although I want you to be aware of a number of abuses, I specifically discussed the incident to be reviewed (the one on 8/23). I am working with legal timelines/due dates and do not have time for such negligence.

Describe what action you want taken to resolve the grievance appeal if different from original grievance submission.

1) A more accountable law library communication system and records (advise by word of mouth is too unreliable/liable-to-corruption) 2) more critical/caring assessment of grievances

Date: 9/14/23

Signature: [signature]

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| | RECEIVED SEP 19 2023 OSP/MCCF GRIEVANCE OFFICE | DENIED SEP 20 2023 OSP/MCCF GRIEVANCE OFFICE | |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |



grieved property & administration on 9/15 1. lack of transparency & 2. frustrating legal efforts

# OREGON DEPARTMENT OF CORRECTIONS

## AIC COMMUNICATION FORM

TO: SMH Date: 9/6/23

State your issue in detail: I had legal papers, records and timelines taken from my cell (SG 240) on 8/5 when I was moved to SG 112 – I was told to kite you to discover it's location as I have upcoming legal deadlines this month (a fast n' Speedy, a habeas and a Divorce case)

Please let me know how to retrieve

Thank you

| AIC Committed Name (first middle last) | SID# | Housing Unit |
|---|---|---|
| Spencer Joseph Barrett | 22418875 | DSU/SG133 |

Response/Action Taken:

No property was brought to my office on your behalf from a Sg to Seg move on 8/5/23.

Date Received: SEP 07 2023 Referred To*:

Date Answered: SEP 07 2023 Signature of Staff Member: SMH PROPERTY RT

*If forwarded, please notify the AIC

CD 214 (02/2020)

**OREGON DEPARTMENT OF CORRECTIONS**

**AIC COMMUNICATION FORM**

TO: Medical  Date: 8/24/2023

State your issue in detail: May I please have a Vitamin D supplement or Daily Vitamin pill to help counteract the nutrient deficiencies of no sunlight and my vegetarian Diet. I have read it would help with Emotional and behavioral problems experienced by many in the PNW and known as SAD (Seasonal Affective Disorder)

Thank you for your Consideration

| AIC Committed Name (first middle last) | SID# | Housing Unit |
|---|---|---|
| Spencer Joseph Barrett | 22418875 | DSU/S6133 |

Response/Action Taken: A multiple vitamine can be purchased from canteen.

NOT ON THE DSU-LOP canteen sheet
'updated 8.2.2023 sj'
Thank You sj
(bottom right corner)

Date Received:  Referred To*:

Date Answered: 9/8/23  Signature of Staff Member: [signature] RN

*If forwarded, please notify the AIC

CD 214 (02/2020)

37.

# OREGON DEPARTMENT OF CORRECTIONS
## AIC COMMUNICATION FORM



**FROM**

INSTITUTION: OSP
AIC NAME: S.J Barrett
SID #: 22418875
UNIT/BUNK: DSU/SG133
ADDRESS: OSP

**TO**

NAME: Medical
TITLE: Vitamin D
ADDRESS: OSP

(Fold Here)

recieved 9/27 w/ mail violation notice Ref: 701199 Date 9/27

Grievance # OSP.2023.09.051 ______ 
Official Use Only — Resubmit

# GRIEVANCE FORM

Name: Barrett (Last) Spencer (First) J (Initial) 22418875 (SID#) SG133/DSU (Cell/Block/Bunk #)

Whom are you grieving: DSU staff

Please provide the date/time of incident giving rise to grievance: 7/7 - 9/7

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

I am Indigent and have not recieved any envelopes Since arriving in DSU on 7/7. I have sent kites, made in-person requests, filled out canteen box forms, filled out legal envelope forms and filled out Indigent Status forms.
Other AIC's have told me it can take months to recieve a canteen box order: this is absurd and unnecessary/inhumane punishment. Especially for Hygiene and Communication (Envelopes, phones) requests/orders - those are basic needs.

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

I would like to recieve envelopes to mail asap and for DSU to enact a new/faster protocol for meeting indigent & other's communication needs

Date: 9/7/23 — Signature: [signature] Barrett

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| | RECEIVED SEP 12 2023 OSP/MCCF GRIEVANCE OFFICE | ACCEPTED SEP 18 2023 OSP/MCCF GRIEVANCE OFFICE | |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

OSCI · DS · 07B



# GRIEVANCE RESPONSE FORM

**Grievance #:** OSP_2023_09_051

**TO BE FILLED OUT BY STAFF**

TO: Barrett, Spencer — 22418875
Name of grievant — SID #

FROM: Melanie McPherson — Supply Specialist II
Name of respondent — Title

List, in detail, action(s) taken. (What action was taken? Was the action what the AIC requested? If not, why? Who took the action? When was the action taken – date/time?)

AIC Barrett, Spencer # 22418875 received indigent envelopes for the month of September 2023(August 2023). AIC Barrett was placed in DSU housing on 7/7/23. He was not eligible for indigents until August 2023. Indigents are passed out for the previous month. If Canteen does not receive a communication from an AIC, Indigent envelopes will not be processed. The AIC needs to request on a separate communication for Legal Totes. OSP Canteen does NOT keep Legal Totes on hand and has to order them from NWC on an individual approval basis. OSP Canteen does NOT fill requests for Indigent Hygiene items. OSP canteen only fills requests for 5 Indigent envelopes and 2 legal totes. The canteen will fill Indigent envelopes for the month of August 2023(July 2023) and October 2023 (September 2023). AIC Barrett will need to send a kite to Canteen requesting indigent legal totes when he is released from DSU.

**Do not type past this line**

10·17·2023
Date:

Page 1 of 1

[signature]
Signature of Staff Member

C. WAGNER [signature]
Signature of Supervisor (Print/Sign)

| Receiving Facility (if not processing facility) | Received at Processing Facility | Sent to AIC |
|---|---|---|
| OCT 2 [illegible] 2023 OSCI GRIEVANCE OFFICE | RECEIVED OCT 19 2023 OSP/MCCF GRIEVANCE OFFICE | SENT OCT 19 2023 OSP/MCCF GRIEVANCE OFFICE |
| Date Stamp | Date Stamp | Date Stamp |

Distribution:
White (Original grievance response form)

Grievance # OSP.2023.09.051A ____ Resubmit

*Official Use Only*

## GRIEVANCE APPEAL FORM

Name: Barrett (Last) Spencer (First) J (Initial) 22418875 (SID#) DSU 07 B (Cell/Block/Bunk #)

List in detail all the reasons you disagree with the original grievance response or initial appeal response. (For the initial appeal, attach original grievance form and staff response. For the final appeal, attach the initial appeal form and response as well as the original grievance and response.)

OSP-2023-09-051 1. Thank you, I did recieve some envelopes the second week of October 2. I asked multiple staff and did send multiple kites in July and August (including Flux, wallace & Star & Leon) my concern is that many of my kites were lost deliberately as retaliation or due to sheer magnitude and systematic error because I had experienced the issue of not recieving or responding to my kites in other departments. A seperate grievance on the issue of delayed or missing A/C comm. forms earned me a response from Lawson that no OAR dictates a time limit or even a response to a communication form - I fear this is the issue.

Describe what action you want taken to resolve the grievance appeal if different from original grievance submission.

A more secure/accountable communication system to ensure and keep track of requests for essential items like envelopes and legal forms and mail such as digital/tablet entries or multiple drop boxes & track #

Date: 10/24/23

Signature: Spencer Joseph Barrett

SENT OCT 2? 2023

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| RECEIVED OCT 2? 2023 OSCI GRIEVANCE OFFICE | RECEIVED NOV 01 2023 OSP/MCCF GRIEVANCE OFFICE | DENIED NOV 01 2023 OSP/MCCF GRIEVANCE OFFICE | |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

*For grievance information see back page. Distribution: Green (Original grievance form); Goldenrod (Inmate receipt after processed)*

CD 117C (10/2019)

40

Grievance # OSP. 2023.09.080 ____ Resubmit

Official Use Only

# GRIEVANCE FORM

Name: Barrett Spencer J 22418875 SG133/OSU

Last First Initial SID# Cell/Block/Bunk #

Whom are you grieving: Property & Administration

Please provide the date/time of incident giving rise to grievance: Ongoing (8/5 - 9/15)

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

I did not file this grievance within 2 weeks from the initial property seizure (8/5) from cell SG240 because I had yet to recieve property back from the 7/7/23 seizure until 8/12. On 8/12 I was allowed to receive property from the 7/7 seizure but was missing: legal documents, a book (course 1, "Gods Great Love", Gospel Echoes team) and family photos. I hesitated to grieve this (although I mentioned it in # OSP.2023.08.009) because I was waiting on responses from GP & SMH property and also presumed it might have been seized in relation to an Investigation into the 8/5 & 7/7 incident was ordered by Foss (on 8/15). I am missing 40 pages+ of records, letters from Appellate lawyer & IG office (from 8/5 seizure). The last grievance response took 70 days (CCIC-2023-06-001) But I have legal timelines due before.

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

I want Property & Administration to be more transparent about my belongings & held accountable for unnecessarily frustrating my legal efforts.

9/15/23 [signature]

Date Signature

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| | RECEIVED SEP 19 2023 OSP/MCCF GRIEVANCE OFFICE | DENIED SEP 20 2023 OSP/MCCF GRIEVANCE OFFICE | |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

For grievance information see back page. Distribution: White (Original grievance form); Canary (Inmate receipt after processed)

CD 117 (10/2010)

41

Grievance # OSP.2023.09.081 — Official Use Only — Resubmit

## GRIEVANCE FORM

Name: Barrett (Last) Spencer (First) J (Initial) — SID# 22418875 — Cell/Block/Bunk # SG133/DSU

Whom are you grieving: Foster, Law Library Protocol

Please provide the date/time of incident giving rise to grievance: 9/1/2023 ~11-12pm

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

I did not initially Grieve this event out of fear I would exceed my limit of 4 per month, but it provides context/reason/understanding for why I have been depositing all kites, grievances, appeals, order & envelope forms, folio requests and CD28's in the Secured Drop box near the Section entrance door. Kirk Bauer and "Ganja" (cells 9 & 10) and any others on the tier paying attention witnessed Foster overtly ignore my attempt to deliver/submit a folio request. I believe CO Harris witnessed it too, I spoke up after he (Foster) dropped off Papers for Baur but hurriedly left with his cart - hours after typical (11am-12, sometime after lunch). The CO (Harris?) & "Ganja" confirmed he heard me but ignored.

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

I want to be understood for why I use this more secure method of Submitting paperwork: The Dropbox's purpose is not stated explicitly, multiple communications have not been returned and to avoid illegitimate DSU "disciplinarians" or retaliation by staff.

Date: 9/15/23

Signature: [signature]

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| | RECEIVED SEP 19 2023 CSP/MCCF GRIEVANCE OFFICE | ACCEPTED SEP 20 2023 OSP/MCCF GRIEVANCE OFFICE | |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

For grievance information see back page. Distribution: White (Original grievance form); Canary (inmate receipt after processed)

CD 117 (10/2014)



**GRIEVANCE RESPONSE FORM**

**TO BE FILLED OUT BY STAFF**

**Grievance #:** osp.2023.09.081

TO: Barrett — 22418875
Name of grievant — SID #

FROM: W. Foster — Legal Officer
Name of respondent — Title

1. List, in detail, action(s) taken. (What action was taken? Was the action what the AIC requested? If not, why? Who took the action? When was the action taken – date/time?)

All legal paper work goes through the Legal Officer. The Legal Officer then brings the paperwork to the Legal library for processing. By placing your legal paperwork in the Grievance box in the unit it will slow down, or stop the processing of your legal paperwork.

Be sure when the Legal Officer enters your unit and announces their presence you are prepared to request, and/or submit all your legal paperwork and forms for that day.

OAR 291-139-0140

(1) AIC's assigned to special housing will be afforded reasonable access to law library services through intra-facility telephone and loan systems, satellite law library materials, computer equipment in or near the special housing unit or some combination therein.

There is no OAR, Policy or Rule that states the time, days, or frequency when the Legal Officer must tour the whole SMH building to collect and hand out legal material. It only needs to be "reasonable." As a result the Legal Officer makes their rounds as time and circumstances permit.

[handwritten:] what is the definition of reasonable? how do I know he's being reasonable? why is he given so much power without checks and balances

An AIC communication form can also be used to communicate with the legal officer and using the internal mail system of the SMH building the Legal Officer can send you apppropiate forms that you need to order research material, Legal materials, ECT.

[handwritten:] This is what I am grieving. The corruption of the internal mail system

[handwritten:] Action wanted: multiple dropboxes like coffee creek or tablet/digital/receipt system to track a communication's place & progress

[handwritten, right margin:] it is not reasonable to expect someone to remain alert & on watch for the legal officer @ all hours of the day

[handwritten, top margin:] Nor to just require our blind trust in his delivery of our legal materials

[handwritten:] ★ 2. THIS DOES NOT ADDRESS THE MATTER GRIEVED & INSTANCES WHERE YOU FORGET OR LOSE DOCUMENTS / SERVICE

**Do not type past this line**

Date: 10/2/23

Page 1 of 1

Signature of Staff Member: [signature]

Signature of Supervisor (Print/Sign): Capt. B. Eriksen / [signature]

| Receiving Facility (if not processing facility) | Received at Processing Facility | Sent to AIC |
|---|---|---|
| | RECEIVED OCT 02 2023 OSP/MCCF GRIEVANCE OFFICE | SENT OCT 02 2023 OSP/MCCF GRIEVANCE OFFICE |
| Date Stamp | Date Stamp | Date Stamp |

Distribution:
White (Original grievance response form)

CD117B (10/19) 43

Grievance # OSP.2023.09.081A ______ 
Official Use Only — Resubmit

# GRIEVANCE APPEAL FORM

Name: Barrett (Last) Spencer (First) J (Initial) 22418875 (SID#) DSU/SG133 (Cell/Block/Bunk #)

List in detail all the reasons you disagree with the original grievance response or initial appeal response. (For the initial appeal, attach original grievance form and staff response. For the final appeal, attach the initial appeal form and response as well as the original grievance and response.)

Grievance Response (osp.2023.09.081): 1. Does not follow the response form instructions: what action was taken? Was the action what the AIC requested? (more secure method of submitting paperwork" because "multiple communications have not been returned") 2. Does not address the matter being grieved: a legal officer ignoring an attempt to submit paperwork by an AIC 3: "no OAR, Policy or rule states the time, days, or frequency the Legal officer must tour.. it only needs to be reasonable" a. it is not reasonable to require our (AIC's) blind trust with sensitive legal materials and deadlines. b. it is not reasonable to expect AIC's to remain alert and on watch for the legal officer at all times of day c. What is the current definition for reasonable or why is the legal officer given so much power/responsibility without proper checks & balances

Describe what action you want taken to resolve the grievance appeal if different from original grievance submission.

A more secure method of submitting and storing, holding & recording legal paperwork (maybe multiple drop boxes like at coffee creek &/or digital (tablet) submissions/reciepts to relieve the legal officer of exhausting touring "the whole SMH" and of such immense responsibility

Date: 10/4/23 — Signature: [signature]

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| | RECEIVED<br>OCT 10 2023<br>OSP/MCCF GRIEVANCE OFFICE | DENIED<br>OCT 13 2023<br>OSP/MCCF GRIEVANCE OFFICE | |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

Grievance # OSP. 2023. 09. 081A (Official Use Only) 1 (Resubmit)

## GRIEVANCE APPEAL FORM

| Name: Barrett | Spencer | J | 22418875 | DSU/SG133 |
|---|---|---|---|---|
| Last | First | Initial | SID# | Cell/Block/Bunk # |

List in detail all the reasons you disagree with the original grievance response or initial appeal response. (For the initial appeal, attach original grievance form and staff response. For the final appeal, attach the initial appeal form and response as well as the original grievance and response.)

Initial appeal Denied (09-081) Date: 10/13/23
1. "wrote all over original response. Grievances Appeals must be legible and written within the appropriate Space provided"
a) Thankyou for providing me with a copy of the original response (without my writing on it)
i) I apologize if it may have confused you. I did not intend for any of that writing to be considered
ii) I expressed my main concerns legibly and in the appropriate Space of the initial appeal
iii) I ~~am worried~~/confused why I need to provide my own copies, when you maintain your own records and I as an indigent in need of recycling/re-using paper am forced to brainstorm on the original AND how is that a legitimate reason to deny my grievance? WHEN you maintain your own records!?

Describe what action you want taken to resolve the grievance appeal if different from original grievance submission.

Please consider the actions from my initial appeal Dated 10/4/23, Recieved Oct 10'23,
Thank you for your consideration

Date: 10/17/23

Signature: [signature]

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| | RECEIVED OCT 24 2023 OSP/MCCF GRIEVANCE OFFICE | DENIED OCT 26 2023 OSP/MCCF GRIEVANCE OFFICE | |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

Ref:701199

# OREGON DEPARTMENT OF CORRECTIONS
## MAIL VIOLATION NOTICE

Date: 9/27/2023

Staff: Toombs C.

Facility Address:
OSP
2605 State St.
Salem, OR 97310

Mail addressed to AIC **Barrett, Spencer Joseph,** SID# 22418875, Unit/Bunk **SG133** is in violation of the Department of Corrections (DOC) Rule governing AIC mail. In future correspondence, please use reference number **701199.** The material has been rejected for the following reason(s):

291-131-0035 (5) (b) Material that an inmate shall not possess within the facility or that meets one of the following criteria:

**Blank stamped envelopes**

**YOU MAY *NOT* SEEK ADMINISTRATIVE REVIEW FOR THIS VIOLATION**

Violations that are not subject to review include:
1. Credit or deferred billing transactions are prohibited.
2. Unauthorized business transactions are prohibited.
3. Items prohibited from receipt by mail.
4. Outgoing mail that has been restricted by the functional unit manager.
5. Material the Department deems to pose a threat or to be detrimental to legitimate correction objectives.

Recieved 9/27 w/
Grievance # OSP.2023.09.051

Sender: Colleen Barrett
3833 NW Boxwood Dr
Corvallis, or 97330

Copy to sender/AIC/mail room

CD 618a (12/11)

This form replaces Form CD 618a being the Mail violation Notice mentioned under Rule 291-131-0037 (2)(a)(A)(2)(C)(3)(b)(6)(a)(A)(7)(d)

Page: ____ of ____ (3 page limit)

Grievance # OSP.2023.09.123
Official Use Only

Resubmit ____

## GRIEVANCE FORM

Name: Barrett (Last) Spencer (First) J (Initial) 22418875 (SID#) SG133/DSU (Cell/Block/Bunk #)

Whom are you grieving: Foster & Law Library Protocol

Please provide the date/time of incident giving rise to grievance: ~9am 9/21

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

Foster retaliated/is-retaliating against me for a grievance (09-081) I filed against him by coming to my cell and trying to intimidate me by calling me, "Liar!" when I asked, "about what?" he laughed at me cynically and left. Foster has lost, misplaced or deliberately not delivered (since the beginning of September) my canteen orders, folio requests and legal mail regarding 5 active cases (an appeal, fast n' speedy, habeas, Divorce & post conv. relief). Being called a Liar is a trigger and the question should not be "did he lie?" but instead "could this possibly be a big area of systematic error & not personal blame?" maybe Foster really doesn't remember, still, retaliation is common, especially without proper safeguards.

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

1. more sensitive & accountable methods of investigating grievance's and protecting from retaliation 2. Some form of security system, record or receipts to accompany legal form orders, outgoing mail, kites, staff interactions.

Date: 9/27/23

Signature: [signature]

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
| --- | --- | --- | --- |
| | RECEIVED SEP 29 2023 OSP/MCCF GRIEVANCE OFFICE | DENIED OCT 02 2023 OSP/MCCF GRIEVANCE OFFICE | |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

Page: ___ of ___ (3 page limit)

Grievance # OSP.2023.10.025
Official Use Only

Resubmit

# GRIEVANCE FORM

Name: Barrett (Last) Spencer (First) J (Initial) 22418875 (SID#) SG133/DSU (Cell/Block/Bunk #)

Whom are you grieving: O.D.O.C. Staff & Work Culture, Sgt. Heldt

Please provide the date/time of incident giving rise to grievance: 9/18 - 9/22, 9/23

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

Violations 2.10-2.40 (CD 295): Disrespect, Extortion, Sexual assault/abuse/harassment/activity and hostage taking is so commonplace that I witness many/most seek the Safety of Gangs, drugs or Protective Custody: which is sadly denied to many for "lack of reason", as if being trapped with a bunch of violent criminals weren't reason enough. On 9/18 AIC Bauer (SG-109 cell 9) was repeatedly threatened - the noise became unbearable when 2 AIC's in particular threatened to: 1. "run train on" (group rape) 2. "face fuck" and 3. "Turn out" (prostitute) Bauers daughter, referring to her by name: Ashley Anne ~~Bauer~~, Location: Riverside, CA and even D.O.B: 12/85. This is not the first time I've heard such language in here and such noise holds all stuck in cell's hostage, infiltrating our dreams (sleep and worries about our own family (I haven't heard from my daughter in 3 years) On 9/23 @ 7pm Heldt delivered earplugs to cell 35 but denied cell 33 & 36

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

1. please encourage better language styles to help offenders excel in the real-world 2. Provide ear plugs to Indigent and upon request or at affordable price on Canteen Instead of forcing desensitization, detachment & disassociation 3. Report all Violations

Date: 9/28/23

Signature: [signature]

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| | RECEIVED OCT 03 2023 OSP/MCCF GRIEVANCE OFFICE | DENIED OCT 04 2023 OSP/MCCF GRIEVANCE OFFICE | |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

Page: ____ of ____ (3 page limit)

Grievance # OSP. 2023.10.027
Official Use Only

Resubmit

## GRIEVANCE FORM

| Name: Barrett Spencer | J | 22418875 | S6133/DSU |
|---|---|---|---|
| Last / First | Initial | SID# | Cell/Block/Bunk # |

Whom are you grieving: Toombs C.

Please provide the date/time of incident giving rise to grievance: 9/27/2023

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

I recieved a Mail Violation Notice Dated: 9/27/2023 staff: Toombs C. for "blank stamped envelopes". I had a grievance accepted Date: 09/18/2023 # OSP_2023_09_051 for DSU's lack of providing envelopes after multiple requests. I have not recieved legal mail forwarded to me by my mother which I need to respond to, which may have been with the "blank stamped envelopes", I doubt she sent a blank envelope in each of the 8 letters she mailed to me on 9/21 and I believe it is a misapplication of departmental policies to hold all my mail, legal and other for one instance of blank stamped envelopes which I did not directly request nor did I or my mom know the violation.

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

May I please have my mail. O.D.O.C. is displaying deliberate prejudice towards indigent persons who cannot afford 3rd party lawyers safe from D.O.C. tampering and frustrating legal efforts.

Date: 10/1/23

Signature: [signature]

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| | RECEIVED OCT 03 2023 OSP/MCCF GRIEVANCE OFFICE | DENIED OCT 04 2023 OSP/MCCF GRIEVANCE OFFICE | / |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

For grievance information see back page. Distribution: White (Original grievance form); Canary (AIC receipt after processed)

CD 117 (11/20) 49

Page: ____ of ____ (3 page limit)

Grievance # OSP. 2023. 10. 028

Official Use Only

Resubmit

## GRIEVANCE FORM

Name: Barrett (Last) Spencer (First) J (Initial) 22418875 (SID#) SG133/DSU (Cell/Block/Bunk #)

Whom are you grieving: Medical & Mental Health, PREA response team

Please provide the date/time of incident giving rise to grievance: 9/27/23

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

Inadequate medical and mental health treatment.
On 9/9 I sent a kite to Wolfe requesting DBT therapy for a PTSD diagnosis I recieved in 2018 and recent triggers, I recieved a response that the kite was "forwarded to appropriate staff" on 9/12 which I recieved 9/15, on 9/24 after no response I sent a kite to medical requesting Vitamin D or a daily vitamin for emotional and behavioral issues similar to SAD (Seasonal Affective Disorder) due to ad seg lack of Sunlight and deficient diet On 9/26 I asked Karen ~7pm Nurse delivering meds to request vitamin D or daily vitamin and requested the same from Anne BHS on 9/27. I still recieved no medical attention or psych. Counselling for PREA report on 7/7/23

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

[continued] to Lt. Brown, on 7/11 to QMHP ~~Tanya~~ and on 7/29 & 8/4 to Snyder. / I want my medical and mental health taken seriously by recieving DBT and Daily Vitamin

Date: 10/1/23

Signature: [signature]

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| | RECEIVED OCT 03 2023 OSP/MCCF GRIEVANCE OFFICE | DENIED OCT 04 2023 OSP/MCCF GRIEVANCE OFFICE | |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

Page: ___ of ___ (3 page limit)

Grievance # OSP.2023.10.057 — Official Use Only

Resubmit ___

## GRIEVANCE FORM

Name: Barrett (Last) Spencer (First) J (Initial) 22418875 (SID#) SG133/DSU (Cell/Block/Bunk #)

Whom are you grieving: Foster, DSU Canteen

Please provide the date/time of incident giving rise to grievance: 9/19 - 10/4 (currently ongoing)

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

Multiple canteen orders have not gone through. I did not file this within the 14 days because I was and am still hoping to recieve my orders. I do not know why it takes so long and am in urgent need of Envelopes I have ordered for pressing legal matters. On 9/19 Lawson picked up multiple legal library requests; one of which was a commissary order for 10 envelopes, a walkman and AAA batteries. On 9/28 another Commissary order was made. On 10/4 no commissary order form was delivered. On 10/2 Lawson denied a grievance, saying it contradicted a previous grievance even though I gave different dates and am speaking of multiple (not just one) instances. I ~~just want~~ Need Envelopes; please help.

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

1. Delivery of my canteen orders 2. Easier/faster way to purchase envelopes 3. more secure method of canteen orders and other paperwork submissions/records/receipts

Date: 10/6/23

Signature: [signature]

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| | RECEIVED OCT 10 2023 OSP/MCCF GRIEVANCE OFFICE | DENIED OCT 12 2023 OSP/MCCF GRIEVANCE OFFICE | |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |



# OREGON DEPARTMENT OF CORRECTIONS
## AIC COMMUNICATION FORM

**TO:** Dr. Smith (BHU) **Date:** 10/11/23

State your issue in detail: hello, Dr. Brown referred me to you in my request to get a multi vitamin in DSU I ~~believe~~/know I am deficient in vitamin D &, as a vegetarian, likely B6 & B12 - please can you help me get a daily vitamin or atleast recommend it get put on the DSU Canteen for me to order, much appreciated
THANKYOU

| AIC Committed Name (first middle last) | SID# | Housing Unit |
|---|---|---|
| Spencer Joseph Barrett | 22418875 | DSU/SG133 |

Response/Action Taken:

Chart Review Scheduled

Date Received: 10-13-23 Referred To*:

Date Answered: 10-13-23 Signature of Staff Member: [signature]

*If forwarded, please notify the AIC

COPY

recieved 10/22

# OREGON DEPARTMENT OF CORRECTIONS
## MISCONDUCT REPORT

CASE # ____________

Name: Barrett, Spencer (Last First, MI) SID# 22418875 Housing: DS-~~05B~~ 07B Assignment: ____________

ODOC Facility: OSCI Location of Violation: Unit 1 Date: 10/19/23 Time: 0927

Charge(s) SELECT THE APPROPRIATE RULES(S)

| Rule# | Title of Rule | Rule# | Title of Rule |
|---|---|---|---|
| 4.01 | Disobedience of an Order I (Major) | | Select One |
| | Select One | | Select One |
| | Select One | | Select One |

"up to AIC to determine if they are compatible" A Sian, Saw 10/19 while in holding, after Gates

1) what is a valid order? Am I expected to do Anything they ask w/ out Question?

2) How did I create a threat. I would like direct evidence (video).

I not understand the Charge or surrounding facts;

Description of Violation (Explain how you discovered/learned the facts and who, what when, where, and how. Use continuation sheet if needed.):

On October 15, 2023, I Cpl J. Buczynski, was working as Unit 1 1st Key. At approximately 0900, I received a call from R&D letting me know I will be receiving an AIC from OSP. When AIC Barrett, Spencer SID # 22418875 arrived, I got him inputted into the Security Log and called clothing to get him dressed in. It was after I was done that AIC Barrett let me know that he would not cell in with another AIC. I asked him why? He said that he had things done to him at OSP and that he can't sleep with another AIC in the cell. At this time, I let him know that he needed to go to clothing to get dressed in and then go to cell 45A. Again, he said No. I then gave him a direct order to get dressed in and then go to cell 45. He said he would not cell in with another AIC. At this time, I asked him to turn and submit to restraints. He was restrained at this time, and I escorted AIC Barrett to DSU with no further incidents.

Not guilty. I did not create a threat to the security and safety of the facility. O.D.O.C. ~~and~~ multiple staff is guilty of deliberate indifference, negligence, through cruel & unusual punishment by repeatedly ignoring threats made to ~~my fears for~~ my lifes, safety & security and requests for Protective custody. from July 5th to [illegible] I was repeatedly sexually assaulted and threatened with Gang Retaliation. I filed

Disposition of Physical Evidence: None

Staff Witnesses: Grievances at Coffee Creek & OSP, multiple kites and here's a list of staff

Immediate Action Taken: Taken to DSU I notified in person?

Submitted by: J. Buczynski [signature] Cpl Time: 1405 Date: 10/19/23
Printed Name and Signature — Title

Reviewing Supervisor: J. Summers [signature] Lt. Time: 1600 Date: 10/21/23
Printed Name and Signature — Title

**************************PLACED IN HOLDING STATUS**************************

As Officer-in-Charge, I have reviewed the foregoing Misconduct Report and find that the rule violation(s) is/are of such a serious nature that the good order and security of the facility require immediate removal of the inmate and placement in segregation status because: AIC created a threat to the security and safety of the facility

Placed in Segregation by: J. Summers JSS for J. Wadsworth Lt. Time: 4:00pm Date: 10/21/23
Printed Name and Signature — Title

Prehearing Segregation Approved: ☐ Denied: ☐ Release Ordered: ____________
Signature — Title — Time/Date

Copy Delivered by: A. Shanley [signature] Cpl. 6:15AM 10/22/23
Printed Name and Signature — Title — Time/Date

I was placed in segregation status because I requested it, not because I was a threat. I was sexually assaulted by Michael Barnes a Bu[illegible] Gang member and was threatened w/ Gang Retaliation for snitching



CD 293D(02/2021)

Page: ____ of ____ (3 page limit)

Grievance # OSCI 2023-10-091
Official Use Only

Resubmit

## GRIEVANCE FORM

Name: Barrett (Last) Spencer (First) J (Initial) 22418875 (SID#) DSU 07 B (Cell/Block/Bunk #)

Whom are you grieving: Hearings officer, Buczynski, OSCI & OSP staff

Please provide the date/time of incident giving rise to grievance: 9am 10/24, 10/19

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

On 10/19 I requested protective custody for fear of my life after being sexually assaulted by Michael Barnes a Brood gang member, and threatened with Gang retaliation for "Snitching" on the assault and his meth dealing operation. Instead of listening to my pleas for help I was shown deliberate indifference, negligence & Cruel Unusual Punishment. This grievance concerns one major event: my being denied Protective Custody and basic PREA medical/mental health. this event is ongoing but most recently engaged in by OSCI Hearings officer on 10/24 at 9am. Other OSCI Staff made aware: Cpt Assay, Lt Stevenson (kited 10/24), BHS Gates & Buczynski (10/19) OSP staff: BHS Portnoy (7-10/19), Lt Erikson (10/9), Lt Trimble (10/5), Sgt Lopez (8/19), Hale (8/15, 10/7), Foss (8/15), Bond & Sgt Holdt (8/5) Snyder (7/29, 8/3) QMHP Tanya (7/11), LT Brown (7/7)

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

Please grant me protective custody status and stop threatening to take away my Good time/Early release for fear of my Life. I did not create a threat to the Safety and Security of OSCI, I requested ~~[illegible]~~

10/24/23
Date

Signature: [signature]

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| | RECEIVED OCT 2 6 2023 OSCI GRIEVANCE OFFICE | DENIED OCT 2 8 2023 OSCI GRIEVANCE OFFICE | P. Ross, PCM |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

D5-19A

Oregon Department of Corrections

# Disciplinary Hearing

## Finding of Fact, Conclusion, and Order

| | | | |
|---|---|---|---|
| **Offender Name:** | Barrett, Spencer Joseph | **Case #:** | 2310 OSCI 0054 OSCI 38 |
| **SID:** | 22418875 | **Date(s) of Hearing:** | 10/24/2023 |

| **Rules Charged** | **Plea** |
|---|---|
| 4.01 - Disobedience of an Order I | Deny |

### Procedural Points

Adult in Custody (AIC) received a copy of the Misconduct Report, Notice of Hearing, Notice of Rights in a Hearing and Rules of Prohibited Conduct. The AIC acknowledged understanding the Misconduct Report and Rights in a Hearing.

A mental health evaluation was submitted for this AIC and was considered by the Hearings Officer at the time of the hearing.

### Finding of Fact

On October 15, 2023, Corporal Buczynski was working their assigned post in Unit 1 at the Oregon State Correctional Institution. Corporal Buczynski reports Adult in Custody (AIC) Barrett (22418875) said he would not live with another AIC in a cell. Corporal Buczynski asked AIC Barrett why and AIC Barrett said he had things done to him at the Oregon State Penitentiary and can't sleep with an AIC in the cell with him. Corporal Buczynski told AIC Barrett to go to the Clothing Room to get dressed in and AIC Barrett refused. Corporal Buczynski gave AIC Barrett an order to go get dressed in and return to his assigned cell and AIC Barrett refused. Corporal Buczynski reports AIC Barrett was placed into restraints and escorted to the Disciplinary Segregation Unit.

### Ultimate Findings of Fact and Conclusions

AIC overtly refused to promptly or in a timely manner comply with a valid order, which creates a threat to the safety, security, or orderly operation of a facility, thereby, violating Rule 4.01, Disobedience of an Order I.

### Preliminary Order

AIC has had 1 major rule violation(s) in the past two years. Rule 4.01, Disobedience of an Order I, is on Level 3 of the Major Violation Grid.

This AIC is listed as seriously mentally ill with no significant functional impairment.

Oregon Department of Corrections

# Disciplinary Hearing

## Finding of Fact, Conclusion, and Order

**Offender Name:** Barrett, Spencer Joseph **Case #:** 2310 OSCI 0054 OSCI 38

**SID:** 22418875 **Date(s) of Hearing:** 10/24/2023

| Rule | Charge |
|---|---|
| Disobedience of an Order I | Violation |

| Sanctions | Begin Date | End Date | Days | Amount | Suspended Thru | Notes |
|---|---|---|---|---|---|---|
| Disciplinary Segregation | 10/19/2023 | 11/1/2023 | 14 | | | Credit for time served. |

RECEIVED

OCT 27 2023

Superintendent's Office
Oregon State Correctional Institution

**Hearing Officer:** Golden, Donald W [signature] **Date:** 10/24/2023

**Functional Unit Manager:** [signature] **Date:** 11/1/23

**Final Order:** ☒ Approved ☐ Order Hearing Reopened ☐ Amended per below



# OREGON DEPARTMENT OF CORRECTIONS
## MISCONDUCT REPORT

CASE # ______

Name: Barrett, Spencer (Last First, MI) SID# 22418875 Housing: DS-19A Assignment: ______

ODOC Facility: OSCI Location of Violation: Unit 1 Date: 11/1/23 Time: 0900

Charge(s) SELECT THE APPROPRIATE RULES(S)

| Rule# / Title of Rule | Rule# / Title of Rule |
|---|---|
| 4.01 Disobedience of an Order I (Major) | Select One |
| 4.40 Unauthorized Area I (Major) | Select One |
| Select One | Select One |

Description of Violation (Explain how you discovered/learned the facts and who, what when, where, and how. Use continuation sheet if needed.):

On November 1, 2023, I Cpl J. Buczynski, was working as Unit 1 1st Key. At approximately 0900, I received a call from DSU letting me know I will be receiving a kickout from DSU. When AIC Barrett, Spencer SID # 22418875 arrived, I got him inputted into the Security Log. He asked if there was a person in the cell. I said "Yes." He asked if I remembered him from a couple weeks ago. I said "Yes." He said he does not want to cell in with anyone. I told him at this time that he was assigned to cell 50A, and that he needs to cell in. He said "No, I need protective custody." I then gave him a direct order to cell in. He again said "No, I need protective custody." At this time, I told him to turn around and to submit to restraints. I then escorted him back to DSU with no further incidents.

Disposition of Physical Evidence: None

Staff Witnesses: ______

Immediate Action Taken: Taken to DSU

Submitted by: J. Buczynski [signature] (Printed Name and Signature) Cpl (Title) Time: 0947 Date: 11/1/23

Reviewing Supervisor: A. ASAY [signature] (Printed Name and Signature) capt. (Title) Time: 10:55am Date: 11/1/23

*************************PLACED IN HOLDING STATUS*************************

As Officer-in-Charge, I have reviewed the foregoing Misconduct Report and find that the rule violation(s) is/are of such a serious nature that the good order and security of the facility require immediate removal of the inmate and placement in segregation status because: AICs actions warranted seg placement

Placed in Segregation by: A. ASAY [signature] (Printed Name and Signature) Capt (Title) Time: 9:05am Date: 11/1/23

Prehearing Segregation Approved: ☐ Denied: ☐ Release Ordered: ______ Signature Title Time/Date

Copy Delivered by: D. CRAWFORD/D. [signature] (Printed Name and Signature) CPL (Title) 1355/01 NOV 2023 (Time/Date)

CD 293D(02/2021)

**OREGON DEPARTMENT OF CORRECTIONS**
**LOSS OF PRIVILEGES SANCTION ORDER**

NAME: BARRETT, SPENCER J. CASE # 2311OSCI0001OSCI DATE: 11/03/23

SID # 22418875 HOUSING DS-19A TIME: ______

**RULE(S) VIOLATED:** 4.01 4.40

7 **Days loss of all privilege activities, including purchase of canteen and use of telephones, tablets, kiosks, and other communications devices.** *Unless otherwise exempted by the terms of this Sanction Order, you will remain in your assigned cell/bunk area except for: meals, call-outs, work assignment; assigned educational, professional and/or technical training classes; visits, one religious service per week, and AA/NA meetings.*

______ **Days of specific privilege:** ______

**Effective from:** 11/3/23 **through:** 11/9/23

______ Hours extra work detail to be completed by: ______

**COMMENTS:** DSU CTS 14 DAYS 11/01/23-11/14/23

LOP IN DSU 7 DAYS 11/3/23-11/9/23

SUSPEND FINE $25 PNMRV 01/01/2024

If an adult in custody (AIC) is on loss of all privileges, unless otherwise exempted by the terms of this Sanction Order, the AIC must remain in the AIC's assigned cell/bunk area except for: meals, call-outs, work assignments; assigned educational, professional and/or technical training classes, and visits. During each week an AIC is on loss of all privileges an AIC may purchase seven (7) envelopes and basic hygiene items which include: shampoo, body lotion, toothpaste, denture cleaner, Tylenol, or medication. AICs on loss of all privileges may attend one denominational worship service of the AIC's choice each week that the AIC is on loss of all privileges.

Emergency and legal phone calls may be made in accordance with the Department of Corrections rule on Correctional Communication Systems and the established procedures of the facility of confinement. An AIC must make arrangements for emergency/legal phone calls with the appropriate designated staff member. Failure to do so constitutes a violation of the written Sanction Order.

If an AIC with sanctions is transferred from one Oregon Department of Corrections facility to another during the effective period of this Order, the AIC remains subject to the terms of the Order unless otherwise exempted by administrative action. This Sanction Order is a valid written order. AICs violating the terms of the Sanction Order may receive an additional Misconduct Report, and if the violation is established, additional disciplinary sanctions.

The Prohibited Rules of Conduct and Processing Disciplinary Actions for Adults in Custody (OAR 291-105) allows for AICs to direct concerns or issues regarding a hearing to the Functional Unit Manager or designee as soon as possible. Within ten working days following the conclusion of the hearing, the Hearings Officer shall prepare and deliver to the Functional Unit Manager or designee, a preliminary order containing the Hearings Officer's findings of fact and conclusions of law and recommendations. The Functional Unit Manager or designee shall process the preliminary order in accordance with OAR 291-105.

CO S. Ventres for H.O. D. Golden

Hearings Officer's Signature

COPIES: WHITE (Hearings), YELLOW (Staff), PINK (AIC)

CD 103D 02/2020

Dear Mom, (copy)
Could you please forward this Letter to Harrison & Letoe (and any other Pro Bono Civil Rights / Prisoners Lawyers) along with my 8 page assault letter. If you could please also copy and forward that to my current address I will be using it to file a 1983 civil rights suit.
On 10/19 I was given a misconduct report after requesting Protective Custody / Segregation status for fear of my life after being sexually assaulted and threatened with gang retaliation by the Broods gang, largest Prison gang in Oregon. My misconduct report falsely states that I was placed in segregation because I created a threat to the safety & security of the institution. Reversing blame (O.D.O.C. is not safe, has multiple gangs, drugs and violence and instead of providing a safer environment retaliates against fearful (and justifiably so) inmates) I requested to stay in DSU (disciplinary Segregation Unit) until my release but was only given 14-days and threatened with taking away my good time/early release if I continue to seek DSU.
O.D.O.C. is guilty of Deliberate Indifference, Negligence, cruel & Unusual Punishment by continuously denying me Protective Custody and deliberately, repeatedly making me (and I'm sure many others) fear for our life on a daily basis.
Here is a list of <u>OSP staff</u> I notified of my cellmate-Michael Barnes assaulting me & dealing meth for his gang & threatening me for snitching: Lt. Brown (7/7), QMHP Tanya (7/1, Snyder (7/29, 8/3), Bond & Sgt Heldt (8/5), Hearing officer Foss (8/15, Hale (8/15, 10/7), Sgt. Lopez (8/19), LT. Trimble (10/5), Lt. Erikson (10/, Anna Porthoy (9-10/19). <u>OSCI Staff</u>: Buczynski & Gates (10/19) Cpt. Asay & Lt. Stevenson (10/24), Hearings officer (10/24) 58
All are guilty of deliberate indifference, negligence, cruel & unusual Punishment

Please let me know you recieved this letter and (2)
if you could please copy and send back all other
letters you have recieved, for my own records.
I will be working on my Civil Rights suit and do
not know when I will be able to call you again if
I remain in DSU, which I plan on doing despite them
threatening to unjustly take away my Good time.
This all reminds me of a case I transcribed for
the Department of Justice, Department of Immigr-
ation where a Spanish woman, from mexico pled
to recieve Asylum in the USA as protection from
violent Gang/Cartel threats. The Judge Mimi
Yam/Yan? Cruelly denied her request and when
I googled the Petitioner's name I found an
article that stated she was found tied to a
pole, slashed with multiple knives, (gang?) raped and
Urinated on. I believe since then Mimi Yan
had paid for Good PR people to bury that
article because last I looked I could not find
it, but someday what I say will be proven true
by true record keepers. I transcribed that
case in early 2019 and promptly left the position
of Court transcriber. It is quite disturbing for
Justice to be denied on sheer belief, especially
when we discover our own Governments private
interest in Gang activity (read Noam Chomsky
"How the World Works") LOVE YOU MAMA
TAKE CARE

Dear Mother, ☮ ⊕ Love ① 

I was transported against my will to OSCI, today October 19. I fear they will take my documents again, as they took my journal from 7/7/23 - 8/5/23 the last time I ~~m~~ was forced to move (on 8/5). Again, they tried to cell me up with someone, I refused for the same reasons outlined in my Cruel & Unusual Assault. Hopefully they will express sympathy/understanding for my fears as now there is a record of Grievances, interactions and a Hearing which must have dropped my last "Disobedience of an Order - Misconduct report 8/5/23" after they conducted an investigation into the matter.

Besides the initial panic and fear they were going to drag me into a cell with someone by force - OSCI seems to be much better run/more accountable Employees, video surveillance cameras and my current solitary cell catches a reflection of Sunlight from a nearby window, which does wonders for my Sense of Peace (matt. 5.45) bringing a tiny amount of the Essential Vitamin-D and vibrant colors of Hope.

In my personal quest for Meaning ("mans search for meaning" by Victor Frankl - Promote the Statue of Responsibility!) I hope to further Justice & Mental health through my own experiences: 1. Protective custody is a necessity for a country where we need people to criticize (public reporters & broadcasters) a corrupt system, it is ridiculous to force criminals, who are a product of Poor Public/Mental Health (Attachment styles from youth create trust or distrust in Authority, and forcing 2 people with trust issues into a tiny space is ridiculous, everyone is forced into animal fight or flight) - Sadly they have still denied/neglected my own request for Protective custody - which by them doing so falls into the legal definition for Recklessness - Conscious disregard of a danger. 2. Security for Documents & legal actions I'm pursuing - if our country doesn't respect th...?

legal documents, letters from appellate attorney and inspector General

things, well, I can imagine why anyone would fear criticizing or questioning our Authority/Government (Because, they could just throw any dissenter into jail!) and 3. Nutrition and Health are essential to moral behavior! Such as being outside, fresh air, vitamin D, exercise ability and opportunities for Healthy Non-Violent Communication & education.

Anyways, I might seem too idealistic or dreamy but when the Science backs up the dream and you look at how far we've come as a society, We are so close to something only the Ancient Prophets were capable of seeing! A true Scientist, always testing, questioning, reviewing could never actually deny God / The-Cosmic-Will (the mysterious collective sub/un/conscious and the true hand behind all ulterior motives) Because a true Scientist is forced into Humility at the majesty of such an intricate Universe beyond our limited dimensions of comprehension. Humility is essential because a Scientist is always seeking the truth and our record of old bad Science just shows we can never hold to strongly to Anything we can not directly & collectively observe, question, test and peer review.

Science, True Science Humbles anyone willing to step into the Wonder and Awe that this life is possible and filled with so much Beauty. So lets preserve it and help people slow down enough to see it before it ends.

Well, I didn't expect that to come out and recognize the confusing nature of my Sentence Structure But maybe someone will enjoy it.

I enjoyed hearing about your favorite "Happy Moment" spot on the Obsidian trail. Any happy/wild/powerful memories you feel like sharing are much appreciated —

- because the way I see things (scientifically ;)) your memories are in my Genes!, few people can be closer (maybe siblings or my childs genes ~ but thats something I have yet to confirm (still waiting to see my own genetic ancestry and how it varies from the others who have done the Ancestry, blood analysis you told me about Alex & Nate)

So I will share my own Joseph dreamer, moses & metatron (the celestial scribe) "fantasies"/inspirations to at some point establish a real AKASHIC RECORDS/LIBRARY.. and even though the idea of everything being recorded (GOD SEES ALL △ the all seeing eye!) A HEalthy dose of Science/understanding will give context & reason to even the most seemingly outrageous behavior, THIS is the purpose of the CC model (+ (attach styles trust, vectors) ∼ (wave, cycle, stages of grief) △ (hierarchy of needs) ∇ (beliefs about self, others & past/present/future) ⊛ (the intersection of Biology, psychology, sociology & Spirituality in diagnoses & treatment plans) ◎ (microsystems intrapsychic, stages of development, piaget etc) ◯ (macroscopic bronfenbrenner: systems - family, community, culture, ecosystem, planet &, Stars &, Beyond!) ~ Blueprint or Ecology of the Soul AKA Algorithm of faith..

I added upon Patricia Anne Davis "Ceremonial Change process" and inspired initiated in 2019 during my 3 psych courses at LCC (general, developmental & abnormal psychology) But finished its design in fall 2019 @ Eloin and love how I sub/unconsciously mimicked my logo animation to the introduction of my YouTube channel: Enso it is also titled "Chasing Nature" I believe? Video ...

Thats just the "Tip of the Iceberg" and I want to encourage people to make their own formula's as I believe like Harry Seldon in the Foundation Series, with the correct formulas/math we may be-able to predict the future!



Which brings me back to your Happy place memory /location, the recent "Ring of fire" partial solar eclipse and a chapter on Volcanoes I just read in "The Biosphere & Bioregion" (thankyou for sending it again, I hope to get access to my property soon) & the Pacific Ring of fire (some 2200 volcanoes!). I think if instead of ignoring our Ever Present Environmental Threats, the government could Trust its citizens to brainstorm preparatory procedures of their own. And our Government should encourage Public Health revolutions to handle future Black plague COVID's - But unfortunately politics are run by the private corporations and money (the root of all evil) (capitalism is Sociopathic) (Extrinsic rewards decrease intrinsic motivation - psychology research) 2 Timothy 4

BLAH BLAH BLAH - I can write so much! Now if only I could inspire others to write that much to me! We're all on the same team here people! (I'm addressing the whole world & future or excuse my Petty neurosis - Funny thing is I "thought" yesterday "He's wearing a Petty Coat" and then today on my ride over a Song by Petty "rolling down the drain, goin on a mystery train?") ew my Non-cursive looks retarded...

dont [illegible]

Okay, so I hope you can read my messy handwriting and was hoping/wondering if you could mail this new address my "model compilation v7" document from www.archive.org/details/@SJB177 and/or a few pages from any of my publishings on www.archive.org/details/@end the schism
- I want to get ahead on editing those rough drafts before people poorly misinterpret my poorly articulated ~~works~~ writings
and any/all photos from Replay Media with a preference to Nature, but even the skulls are cool it does really help - I still havent gotten your other letters and donno when I'll be able to call next might be 14-30 days if they do give me a "disobedience of an order"
And talking to you really helps my mood - I always feel guilty I dont listen more and sometimes "hog the mic", but I get excited then in a rush for the time limit :/ I havent even heard much stories of your past - I remember your pet rats, childhood friend mikee, fart jar trick Michael, biking on forest roads with your dad, College hiking & shark tooth find (I have concluded the tooth was a plant! with the motive of gaining your interest, attention - I'm too suspicious of a teacher trading multiple shark teeth for one rare one, or maybe I'm jealous I havent found one. But this real nasty witch named Shira gave me a shark tooth when I first met her - before she stole my magic

thing! seriously magic! found it on 1 of 2 abandoned backpacks on the PCT right near the HWY that leads to Chester, CA. I got kinda spooked and ended my hike after that find – but I published it on my facebook with a photo of the "Secretary of State Photo ID" Anyways, I have some pretty wild memories and hope to hike PCT again (with a garmin GPS this time in case I get kidnapped!) my favorite Sections were Marble mtn, porcupine lake and Lassen Volcanic Park was cool. I saw a big mama bear and her cub at/near the boiling hot spring named "Devils Kitchen" and was actually really scared cause I heard a mama bear will over react around her cub in self-defense – but surprisingly they got seperated and the mama may have been to scared (I was poorly playing a harmonica and singing "you dont know what your missin' @ the Devils kitchen! ♫♩♪", actually the PCT sucks by yourself, those views are meant to be shared! And everyone was heading North bound, I only saw one other South bounder – I kept daily journal but donno if Mckenna distroyed them or my life's work Video/documentary's 2010 – 2020... I hope she still has it, that was a lot of work!

But after learning to lose everything over and over I've gotten decent @ re-inventing myself –

Mom, mama, mother, Colleen,

I just talked to you on the phone (7-730 am 10/11/23
and you asked me to send a letter about what I
needed from David Corden: for him to: 1. Check the
legality of my current fast and speedy request
- putting it off for 6-weeks (Dec. 1st 8:30am planned
arraignment) despite having the equipment to remote
view/Telecommunication - video/phone hearing now
causing me to lose the priviledge of Transitional
leave, AIC programs and keeping me @ a medium-
max security prison while I am classified as
a minimum.. All because I am waiting for the
DA Matt Dan Ipson to adopt a baby - which is
fine I guess, even though I have my own baby I'm
worried about (Luci), won't recieve credit for
time served, am basically giving 6-weeks more
to recieve the DA's "blessing"!. Please, maybe
he (David Corden) can recommend another lawyer who doesn't
take my time for granted - no offense to Jay
Hughes, its just weird her name appears on
Google for the DA's office, and that she can
choose to be my lawyer without my consent... But
being trapped in a cage, I dont have a lot of
say in anything - grateful atleast one of my
several legal actions appears to be moving...
Anyways, I didnt want to send this letter
because I havent been able to get more envelopes - and am saving the last 2 for emergencies
I would write so much more, things are ridiculously
complicated or purposefully difficult..
I only ~~even~~ wanted to send this letter because
I got worried about your health after -

62

You said you were sick and I thought maybe a nice letter could be good medicine. Because even though people continuously try to dismiss my fears as not real, I know what is true. What is true: I love you and ~~would~~ forever hold a grudge against a system that needlessly forces families apart. I want to know you and your story before anything happens, and did not get that opportunity with granny. I do not get that opportunity with anyone because after a short period we are forced apart to meet our own needs - but we need each other, that's what makes humanity beautiful.

Anyways, I cant ~~even~~ express myself but atleast I tried - being this emotional hurts and I seek the warm comfort of sleep.

I love you Mama, I could spend more time making this letter more beautiful, easier to read but it hurts to be emotional - and instead of making corrections - this is straight from my running consciousness - Hopefully Straight from my Heart... ✚ ☮ ⊕ ♡ ⇧ ✡

Love you, from your Dreaming Son

(please Archive these letters)

PS I attached some other letters/drafts I had intended to correct/Better-word.. I think you'll know when I'm addressing Dad, not you.. I've made so many. I wish I had more letters I would send them all.

THANKFUL FOR GIVING ME HAROLD'S MAGIC CRAYON MAKER

Dear Mom, Top 10 memories from life test. dont fear. Rorshach unravel a story I'm a documentarian. a single room so selfishly dragged as I felt the truth. I but was initially hesitant of it. (3) (9.)

You say you're not very good @ writing letters but I'm jealous that your handwriting is better than mine. Something Magic about written word (: Spell

I haven't been able to "FIND MY VOICE" after the recent event. Paranoid that no-one cares - but able to understand the systematic causes of why people dont take responsibility for their actions. These passionate arguments are something I'm excited to share when I find the real listeners: of the heart (acts 7:52) (see #3 "The moral playground")

It makes me sad, which ~~I believe~~ strangles my breath (depression refers to the respiratory-system / being in a State of lower/ more "depressed" Capacity)

— See how easy it is for me to skirt the-Truth / find-the focus? The time it takes to write out one sentence I think of multiple new "Tangents" / paths / directions

— Such as the Origin for the word: Spirit

— And what is "Tangential"? except for those who are too impatient and unwilling to connect the dots

It seems a little (a LOT) easier to be more careful/compassionate when writing And the future of Democracy should utilize this by combining social media...

Although I have made a particular artistic statement related to the Modern desolation of THE WORD ... which I vaguely explained in my online publishing @ endtheschism - LCAC - Shit artist Statement

— funny - Philip K Dick wrote "confessions of a crap artist"

— a tad more insane than me, he also had an experience being blinded by light...

— COULD you send me his revealed "exegesis" (of philip K Dick) (compiled by fans (6)

— as well as the Red Book

— and anything related to the Cascadia Bioregion

It's sad/selfish to blame my personality disorder on my parents or friends —

why wasn't anyone interested in Cascadia Now? - OH YEAH, TONS OF FAKE NEWS, PROPOGANDA by the Deep state FEAR MEDIA ~~Perpetua~~ = who profit from destroying Community / establishing PSUEDO COMMUNITY (see noam chomsky)

Recent 9/11 Birthday - Seeing it from a new Perspective - attacking the Globalist empire/symbol of America

— I acknowledge "Great Chain of Being" / Science of Cause & effect traditional" parenting & government styles! .. The very fact very few have an opportunity to

oh yeah: to say I care about you - you have great apparent rights, I have sad nightmares) (2) A list of requests, order from most to least (3) ~~Boo~~ Trans., books, $ for

== after getting this far - exhausting my enthusiasm - wondering what's really the root? If any other family wants to write, show them this and my promise to not

I just finished Brandon Sanderson & midwest gospel of wrath (sad about tying up it all, he said it all)

Louis PSS Keep the "gospel" Ponte (Jew)

OBSESSIVE ORGANIC FOUNDATION DREAMS & (see #3)

letters / addresses / Publisher Dims ... / Dis...

know why people dont care; why they [illegible]
ment and others. — About human rights, modern slavery, grid vulnerabilities to Natural & Manmade ~~destruction~~ disasters, such as the 6th Mass extinction event. [I know why 9/11]

The Disease (see Eco-summit - PA Davis' father, authentic medicine man

know why you Dont care about my dreams or my ~~worries~~ nightmares and I know why I cant beg. I can remember, the punishment for each plea, during each lashing of your whip - was another one, harder. You didn't believe me, like each time I broke a finger. My pain, my voice was silenced, I knew I'd be alright, but I also learned you didn't care. Like when you got surgery for the same injury you left untreated and ignored my recovering ~~shoulder~~ ~~[illegible]~~ collar bone, causing it to heal without proper check-ups and leaving ~~lasting~~ life-long damage.

Regardless of this knowledge, it still makes me sad: To know you don't really care about family or healing. "Take care of yourself" "you're not (nor is your daughter) my responsibility" You shouldn't be a doctor until you heal the void in your own heart.

BECAUSE, WE NEED TO BEG for ~~humanity~~ OUR RIGHTS"

---



And also to answer your questions: only one response on app

~~2.~~ why haven't called

3. ~~4~~ Divorce copy & send & frustration w/ ~~current~~ comm. system out of date paper BS I'm of the "Comp. Gen" (see 9.1.01)

4. ~~3~~ allison knight can send me arrest video & transcripts etc too, I believe

5. ~~4~~ why I dont get outside (seg. no sun, 20x10 ft cage high walls)
 - pos. view as my "Jonah" in the fish or my descent into the depths of the Collective Unconscious yet.

8. most courageous, outrageous [Hidden Bowls & ∞ maze]

~~6.~~ 5. reading a lot

7 ~~6~~. think about you everyday
 - quote from BK1: p1007 The Way of Kings

PS Save all correspondence (obsessive archivist) (im grinning)

PSS love the garden - can you find one of my DIY greenhouse & Cascadia Now flag flying?
would love a print out similar to what you did for Conscience Culture but of my Replay Media photos :)
- particularly missing Photos of Nature
Cant wait to spend all my time in the Trees once I get out of this literal Hell Hole

1/2/5 - So much worse than Lane Co. thought it was gonna be better - boy was I wrong!
ESCAPE INTO NOVELS!
Thank god for Books!
my recent reading list since CCIC

PSSS
Calling Colleen (legal/release)
Pen Pal, Spencer (supports/support)

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"matt 11:15/rev 2:7 - He who has an ear (......../ up page .....)

End the Schism

Purpose: James 4:8 - World Peace is possible: Prince of Peace (Is: )

- World Peace Edu.
- A foundation: Luke 14:28-30
  - a PLACE to end the Schism
  - - physical Space to Cultivate Christ/conscious/conscience
    - virtual (& physical Backup) Archive & Transparent FOOTPRINT/CIRCUIT COURT /accounting/Forum-Democracy (self-represented tech)

Simplified "COMPLAINT (legal) FORMAT
- modern slavery
- deep state
- cruel & unusual

I will not struggle to pretend that my justice shall come before the Worlds/others But, I do see how, if by divine design, the 2 might/could/should be related ((win-win) How resolving my struggle collectively with the other struggles I have published/drowned in (www.archive.org/details/@endtheschism) allowing (even accelerating) my own care/attention & work towards collective/global reparations. To not only pickup where I left off but to finally have the Collective Support/community I was pleading/crying for

(THE DEEP STATE WON'T ALLOW ATTEMPTS TO ......

...........) Mom can you please try to get a picture (5) of Luci? It would really ~~make~~ be nice to know how she's doing while I wait to get parenting time/court appointed custody rules in place w/ my divorce.

Regardless of what you ~~think~~ believe Mckenna may or may not be willing to do/share, know you have Rights as a grand-parent.

I know how hard it can be to exercise our rights, when we feel intimidated or without any control or security.

Our Love, our Care is a ~~strong~~ force that causes us to do something, to go somewhere. Some things are impossible to ignore.

(See 24.5 additions)

list of requests:

(6)

1. recent picture of Luci (grandparents have legal rights to ensure their grandchilds safety) maybe you can try exercising yours - I'm sure Luci would love to spend some time w/ our family: a family of health professionals

1.5 ashland event video transcript.

Alert/Advisory:

2. Police report - 17CR
3. Transcript from 8/8/22 - 22CR
4. Transcript from 10/5/22 - 19CR
5. Transcripts from 5/3, 4, 5, 9, 11, 16, 17, 18, 23

-copy for personal record before sending

6. $ for (10¢ a page) — RECEIPT

27.010 a) Notice of Tort - 0.30

30.038 b) fast & speedy step 1 & 2 - ~~0.20~~ 0.10 ☐

16.025 c) Dissolution of Marriage w/ children - 7.50

35.155 d) waiver fees - 0.60 x ☐

39.010 Civil Rights suit (1983) - 1.10

39.020 e) in forma Pauperis application - 0.50 x ☐

47.171 f) civil Rights packet - $2.20

50.015 g) last will & testament - 0.80

h) SB 819 Application 75.010 Benton County - $0.80 + .10 instructions

76.025

76.030 Lane County - 0.50 (instruct) f missing Lane Coun application

50.025 i) form requesting client file from attorney - 0.60 x 3

OF-30

- address of: 1) Jackson County court & 2) public defender 3) Lane County court & pub defender 4) Dave Corden & Benton Co. Court

- ~~Receipt~~

order from ~~[illegible]~~ urgent?!

~10

7. Need for 20 letters @ 0.85 each = $17

8. addresses (printout) all oregon Nonprofits, churches, ~~Schools~~ & community colleges/universities

$50 deposit
- 10% ($5) for victim fee ($500 total)
- 10% ($5) for DOC fee ($50) for

$40
- 0.04/min tablet use to text on "getting out app"
- $13 radio "walkman" ~~$9~~ headphones, AAA (4) $2
- 10 envelopes $8.50 = ~32.50

$4.70 on 9/11
30.038(1) 47.171(15)
11.030(1) 75.010(8)
47.130(22)

9. Local Newsletters/positive-local Media "Real News": Bioregion

10. Books: 1. The red book, 2. exegesis of philip K Dick 3. Peter Berg Bioregionalism 4. radical mycology ... more manifesto [illegible]

Dear Mom, not knowing how Luci is doing, or if she's even still alive. Mckenna did tell me about symptoms which point to Post partum, only a month or so after. I believe I know why its becoming more prevalent too (Prenatal meds mimic opiates to reduce morning sickness, but destroy essential bond and withdrawl effects exacerbate)!

Regardless of whether or not you believe me I want you to know you have Rights[2] as a grandparent, Regardless of what you believe Mckenna may or may not be comfortable with.

Waiting for this Divorce is growing exceedingly & unnecessarily tiresome — until I am successfull, I am unable to use the power of the court to check-in on my daughter, and I would really appreciate it if you could try or ask any other family member if they are willing to help get me a recent photo of Luci, to prove against my worries!

1. My Second Complaint against the Medical & opiate Business scheme, as well as my anti-war education platform has made me a victim to the abuses of the Deep State & military industrial complex who are incredibly eager to defraud, slander & distort me & my communications (as I threaten to topple their short sighted, immediate gratification business/economy)

2. Other Rights you have consent. speech. assembly. cruel & unusual equal protection

A. I need you help to change the world! But first

...... you mine, you don't really care about doing what's right

3. cruel & unusual punishment ammendments 1, 8 & 14, Right to Security Basic Human Need (dec. of Independ. "DUTY" & "derives power from consent"

a. – forced to stop caring (pp 10, 11 & 22) b. PRSA

3. its not about what you think Mckenna Wants, its your right as a grandparent to ensure your Grandaughters safety (p. 14)

RIGHTS/needs over Beliefs ☆ (

4. I want help to change the World!

2 sections: ① Luci ② world and ③ conclusion checklist. (necessary materials for my legal Battles/future/reclaim (D)

History

It makes me sad (see 2.5) ((Keywords List))

(i.e. those words put me to sleep)

"The Government derives its power from the consent of the Governed" "Seed of conscience ... safeguards"

"Slavery and the Slave trade shall be eliminated [all forms]" - article 4, Dec. Human Rights

War & Violence are not intrinsic to Human Nature, but culturally learned traits - Seville Statement against violence

By your Participation in a Pyramid of War Business scheme that creates the Supply and Demand for Child Sex Slaves" SJB meme 2020 → pp 990 & 1122 Bk 2 stormlight

Why Dont You Care? Problems: (Modern slavery, grid vulnerability, 6th Mass Extinction Event) WORLD PEACE

I) SJB Doctoral Thesis: (i) D. Adams: Belief that Violence is intrinsic decreases Peace Activity

(ii) D. Bella: Systematic Distortion of information, (iii) Obedience to authority: "Emergence of Evil"

(3) P.A. Davis: (i) Nature of Language, (ii) Psuedo Community, (iii) Enemy imagery & (iv) Win-Lose ~~Win Win~~

II) Solutions: (i) free flow of information, (ii) Peace education & media (CPNN, etc), Resolution & (iii) Programme of Action on a Culture of Peace

(2) intelligent Communication Systems, (ii) Green city! ALIVE Proposal,

(3) Universal Language, (ii) Examining Unexamined Assumptions to make the unconscious conscious, (iii) Win-Win dialogue/solutions (The leverage Point, identified)

deep state, provocateurs, Sand Hugh... — Chomsky, RJ Rummel

FALSE? (iii) The Deep State [Big pharma, Big Business, Military & Prison Industrial [false father] Complex]

I. $ (1) Propoganda (war) (I, Ii, 2i, 3ii, iii, iv)

(2) Short sighted / immediate gratification (edu on delayed-gratification benefits)

(3) Too much power, too little education

absolute Power corrupts absolutely; the Lucifer Effect & other Notable Psych/Sociological

(ii) Destruction of Democracy, Human Rights, Free Speech, Right to assemble, worker movements, ~~soci~~ Unions, social movements, communities

: Establishing a truly impartial, open source, transparent & secure (Block chain security) Mass-Communication System (instead of being bought-out to ad companys the government could utilize a social media / forum in order to encourage: Verified identities, distribution of policies/change/government News (and local), true direct/self-representory democracy real time voting & alerts, Transparent (accounting) fund allocation/distribution & analysis of efficacy / footprint - connected to all Verified ~~Busi~~ Academies & Businesses

★ The Art of Building a city

return of Plazas, common areas, free of Dangerous child killing & polluting Cars

No Longer Supporting Modern Slavery & Corrupt Globalist Economy - increase in jobs

Health Secure: COVID and future disaster preparedness

Resource Based Economy (RBE)

Q.1 Why are they killing themselves? / Q1

Democide, Suicide, ~~air~~ pollution, addiction ... Experiments: "Cognitive Dissonance" → Cognitive Harmony ?

(8)

(1)

Dear Mom,

I am not sure if they are sending my letters, please let me know if you recieved my last one sent on 8/4/23 regarding Cruel & Unusual Punishment, PREA & legal assistance.

I am also wondering why I have not recieved anything about the Divorce filed ("Petition for Dissolution of Marriage") with Clackamas County [To ensure my daughters Health & Happiness]. I have sent you documents to copy and forward to Clackamas - Please copy & forward me any mail you recieve regarding that case (or any other matters).

I am also still wondering what the arrest footage revealed regarding my cell phone (Being Stolen) and the Ashland Police Department - I have plenty of time (recently spending 10-12+ hours a day reading) and could make a lot of progress with legal matters if given the proper resources (you could send me popular / top Google results for case law regarding Police theft of Property). And please if you could secure & mail me the transcript from case 22CR37006 (8/8/22 Jackson County) 66 and also the Police report from case 17CR47488 (Benton County 2017) Thank you ...

2 cor 12, 13
Matt 5:11, 12, 6:19, 20, 30, 5:45
EPH 6:6
John 15:12-17

Love

End the Selfism Ministries Presents: #LoveNOW #ye of lil faith

* Global Environmental, Human Rights & Peace Activist
* Multi Media Producer & Broadcaster

S.T Barrett

(C)

(1)

Mom, I hope you are well. I am not. I am still processing what has just recently happened... I do not wish to burden you with the following - as I realize the only way you could really help is with a lawyer, hopefully one specializing in Civil Rights. I have accumulated evidence: audio and paper records and witnesses, which I have copied on the following pages. I am preparing a lawsuit with reference to Articles 8 & 14 of the U.S.A. Constitution ("cruel and unusual Punishment [shall not be] inflicted" & "no state shall deny equal protection of the Laws") with proof of "deliberate indifference", but access to legal materials, research and discovery is extremely limited here.

I have not been able to call you for sometime and am grateful I even managed to get this letter to mail you. I believe the last we spoke was June 16th-17th. For a multitude of reasons I began fasting from all food on June 19th to commemorate Juneteenth, spread awareness of Modern Slavery, unanswered prayers and fathers day. On 6/23, the fifth day of my fast I was punished with Solitary Confinement and Loss of priviledges after refusing to return to my cell for fear of my life after being threatened by my cellmate more than once. On 7/5 I was transported to Oregon State Penitentiary (OSP). On 7/6 after being sexually assaulted more than once and calls to the guards for help went ignored all night I was finally moved to another cell in the early hours of 7/7, where I still do not have access to a phone, among other things. So, this was the second time in a span of two weeks where guards not only ignore my calls for help but then punish me for the inconvenience. At OSP, I was forced to cell with a white Supremacist gang member - AFTER I had explicitly stated on multiple records my fears of being targetted by such and multiple requests for Protective Custody have been deliberately ignored (and still not granted by 8/3). Since then at OSP, I have witnessed guards ignore other requests for help and forcing inmates into (cruel and unusual) Bizarre/outrageous acts before they are moved. An inmate 11 years into his sentence told me, "Rape happens at OSP all the time".

Love your son,

Spencer Joseph Barrett 8/3/2023

xo <3

Global Environmental, Human Rights & Peace Activist
Multimedia Producer & Broadcaster
www.archive.org/details/@end_the_schism

67.1/2

FACTS/EVIDENCE/TESTIMONY: Spencer Joseph Barrett (SJB)

1.) SJB recieved protective custody at Lane County Adult Correctional facility a) August 2022 b) May 2023

2) SJB stated his fears for life, safety & security on audi records a) 5/23/23 Sentencing hearing b) 6/27/23 misconduc hearing

3) SJB stated his fears & requests for Protective Custod on multiple paper records a) Oregon D.O.C. Communication forms b) Grievances c) 2 petitions for administrative review - Between 5/25 and 8/1

4.) SJB stated his fears and requests for Protective Custod in person a) 6/23 to guards b) 7/6 to guards & Lieutennan c) 7/7 to Lieutennant during PREA (Prison Rape Eliminati Act) report d) 7/11 to qualified Mental Health Specialis Tanya during PREA report e) 7/29 to PREA assesment offic Snyder [coffee creek]

5) 6/23, Mark Stutton threats; a) his ex-wife testimony th he "tried to kill her" b) "Grandpa head of Hells Angel chap ter" and "family buried lots of bodies together" c) "I'm gonna drag you off your bunk and smash your head in d) Mark brags about having a "Silver tongue" and his natural gift at lying

6) 6/23, SJB recieves a misconduct report for refusing t cell in with Mark after SJB stated his fears, "he's already threatened me more than once"

7) 7/5, SJB is transferred to Maximum Security Priso OSP despite a) SJB is classified as a security risk lev "minimum 2" b) SJB made multiple requests for a "fa and speedy trial" to Benton County DA & Court so he can be eligible for "Trans leave" release 10/2023

8.) 7/5, Michael Barnes threats; a) "I'm in a gang, the Brot the Largest Gang in Oregon" (Oregon D.O.C. calls SJB wi a White Supremacist gang member after SJB specifically stated his fears of such (see: 2a & 3b)), b) Barnes shows his Conviction & discovery paperwork, showing photos of his victims bloodied head, "I smashed her head in with a hammer for ratting on me", c) "you do drugs? you cool or you a rat?"

[illegible] regret in my gang aren't afraid to get more charges (3)
for hurting a rat" e) "my gang takes care of me"
(multiple pairs of shoes, graphic mags, TV, playstation
and drugs), f) "my uncle got away with 7 murders
for ratting on 25 people"

1) 7/5, Michael Barnes sexual assaults, a) Barnes stands
in center of cell masturbating while ~~ctm~~ SJB is playing
playstation and Barnes gropes SJB's leg and moves
his hand up towards SJB's groin without SJB's consent
b) after SJB bends down to clean toilet seat Barnes
grabs SJB's head and forces it to his exposed penis
without SJB's consent

2.) 7/6, after Barnes jumps on SJB's bunk and begins
groping SJB without SJB's consent and ignoring SJB's
demands for Barnes to get off, multiple guards delib-
erately avoid helping and ignore SJB's calls for
help as they walk by a) One refuses to stop or even
acknowledge SJB as guard walks past b) another
guard hands back a Comm. form asking for help and
says, "Wait until tomorrow", with a Smile c) As soon
as Barnes gets off ~~m~~ SJB's bunk, SJB kicks off
mattress to brace against lip of bunk and while hold-
ing onto cell bars kicks Barnes as Barnes repeatedly
grabs SJB's legs to pull him off and repeatedly tries
to jump up again onto SJB's bunk. Guards continue
to ignore SJB's cries for help and the few who do
show up stand by to watch Barnes continue his
assault for 2+ hours (1030pm 7/6 - 130am 7/7) before riot shield
enters, knocking Barnes down and allows for ~~my~~ SJB's
escape.

1) 7/7 - 2 am, after SJB makes a PREA report to the
lieutennant, ~~SJB is punished~~ Oregon D.O.C. retaliates
by giving SJB a misconduct report, a) lack of hygiene:
no toilet paper, soap, toothpaste or spoon to eat with
b) lack of communication: no phone calls, comm. forms,
pen or paper

68
0.3/*

12) 7/7, SJB is subject to non-stop verbal assaults threats against his person & family. "Rape happens at OSP all the time", "I'm gonna fuck you, you're my Bitch" "You a confidential informant? Whats your name, SID & Birthdate?", "I'm gonna find you when I get out", "I'm gonna fuck your Mom & Sisters, I dont know who gonna fuck your dad"

13) 7/7 - 8/1, Guards allow Repeat of Non-stop Verbal Assau to each new/unfamiliar inmate: violations 2.10-2.40 Disrespect, Extortion, Sexual assault/abuse, Sexual Harassment & Hostage Taking

14) 7/21 6pm - 7/22 9pm, SJB and all of Section 2 DSU (Segregation Housing) witnessed the abuse of Adam Chamberlain (A.C.), a mentally disabled Adult in Custody, by both guards and inmates. A.C. was subject to Coercion, Extortion and 27-hours of non-stop verbal assault, rap and death threats to his person and family. During thi time multiple calls for help by A.C. and other inmates were met with intentional indifference. A.C. was convinced to flood his cell twice by clogging his toilet and activating his fire Sprinkler which he was told would cause guards to move him to another cell. After guard continued to ignore, Inmates convinced A.C. to Spread his poop all over his cell and eat it - The guard had hi lay in his feces for 2-hours - during which time, und the pretense of helping him with a Lawsuit, Inmate convinced A.C. to release his moms name, hometown place of work and phone number and then inmates used this information to further threaten and intim inate him (with A.C.'s mom's abuse & rape)

14.i) A.C. requests to move after non-stop verbal assault - Ra and Death threats to his person and family a) "Kill yourself b) "I'm gonna beat your ass then fuck you with a broom handle c) "We're gonna shit bomb you!" (throw poop in his cell)

ii.) A.C. clogs his toilet after non-stop verbal assault and under the impression the guards will move him (7/22 - 1a after 7hrs of nonstop verbal abuse/assault/threats a) "Your Granny doesnt even love you!" ~~b) I'm gonna F*** Your~~ ...

7.11.b) "I'm gonna f*** your Granny in the A** then make you suck me off!", c) "Grannys poop on your lip!" repeated Chant, d) "Oh, well if she aint alive then I'm gonna dig up her grave & Skull f*** her!" e) "get out of here! Nobody likes you! Clog your toilet and they'll move you cells", f) "The guards are gonna kill you and make it look like a suicide like Epstein. The guards are into that Satanic shit and you're the Sacrifice, sorry bro"
ii) A.C. requests to move after continued non-stop verbal assault from both guards and inmates,
a) "Shutup! Or I'm gonna Bitch slap you!" - Officer Trimble (O.T.) b) "Wake up! You dont get to sleep! Answer me! lol! You dont get to talk back - Shutup", c) "I'm gonna put you with Mr. Rey" (cell #33 leading the Verbal assault) C/O flux d) "Hey Rey, you need a Rec partner?" - flux e) "You wanna cell with Rey? We can make that happen!" flux
i) 7/22 - 7:10pm, A.C. hits his fire Sprinkler and floods his cell after non-stop Verbal assault a) "You hear that dam? We're gonna have fun!", b) "Just hit your sprinkler"
) Officer Trimble denies assistance and encourages cruel and Unusual Behavior a) "You're gonna sit there shiverin', soakin' wet all night!" (O.T.) b) "You're not giving me a reason to move you! (another reason) - O.T.
) A.C. is encouraged to play with his poop and O.T. has him lay in it a) "Kick your door!", b) "Wrap your pants around your neck!" c) "Start finger painting with your poop!" d) "Your death has no effect on me whatsoever, its only one form to fill out" - O.T.
e) "Lawsuit? I didnt shit in your cell. You're gonna sit in that all night" f) "Bite your arm and rub your poop in it and then they'll have to move you!", g) "eat your poop!" h) Under the guise of helping with a lawsuit inmates get A.C. to reveal his moms name, hometown, place of work and phone # (Susan Chamberlain, Pendleton OR, Wendys, 541-429-1493) 69

5/

(14.vii.) 1/22-855pm, after approximately 2+ hours of non stop verbal assaults (violations 2.10-2.40) and almost 2 hours of laying in his own feces, A.C. is recorded on video and finally moved from his cell as A.C. & other inmates had originally requested when A.C arrived. The guards instigated this and have been witnessed moving other inmates upon request/ASAP
15.) all instances detailed above contribute to SJB's well founded distrust and fear for life from the Employees of and the Oregon D.O.C. as a whole: Oregon D.O.C. is complicit in Cruel and Unusual Punishment and intentional indifference. As stated on multiple records detailed above "I [Spencer Joseph Barrett] am afraid for my life and do not feel safe at the Oregon D.O.C."

On multiple occasions, instead of listening to SJB's legitimate fears, the Oregon D.O.C. retaliated by reversing blame and stating that SJB's "actions were a threat to the safety ~~and~~, security and orderly operation of the institution." Oregon D.O.C. has shown deliberate indifference and ignorance to the fact that SJB is a living breathing part of this institution being threatened.

The Prison Rape Elimination Act (PREA) serves to eliminate Prison Rape, not to wait until after the crime has been committed to act.

"The Mission of the Oregon D.O.C. is to promote public safety by holding offenders accountable for their actions and reducing the risk of future criminal behavior." How can the Oregon D.O.C. expect anyone to be held accountable to their laws if the Oregon D.O.C isn't held accountable to its own laws? (articles 8 14 of the Constitution of U.S.A, ORS 188.335 "admin. procpromulgation of rules", ORS 169.076, OAR 291-105: violations 2.10-2.40 (CD 295 (2/2020)). To reduce "the risk of future criminal behavior" and the high rate of recidivism and inflicted, life-long trauma associated with the current model it is recomended that the Oregon D.O.C. apply modern Behavioral Science & classic Christian values by uniting efforts with the academic, medical, governmental and religious institutions/End The Schism\

Witnesses, USP [- 8/3 means inmates still present in Section 2 (DSU) when letter was sent] (7)

1. Adam Chamberlain 7/21 - 7/22 cell 13
2. Heather Love 7/23 - 7/26 cell 13
3. Michael Til 7/26 - 8/3 cell 13
4. Eddie Benavides 7/7 - 8/3 cell 38 "Night Owl"
5. Will Herbey 7/7 - 7/26 "Chicken Little"
6. Rey 7/7 - 7/30 — cell 33 "Tadow" (who dat backwards).
7. "P.V." 7/7 - 7/23 → almost all quotes from 14 (leader of Verbal Assault): "I was put on this earth to protect women & children!... and those who can't help themselves"
8. "Seek" 7/7 - 8/3
9. Kevin Brown 7/20 - 8/3 cell 39 "KB"
10. Qualified Mental Health Specialist Tanya - 7/11
11. guard (~~AKA "C.O."~~) flux 7/22 -
12. guard/officer Trimble 7/22
13. guard Dale Urbock
14. Michael A. Barnes 7/5 - 7/7
15. Medina "Spider" 7/7 - 7/21 cell 41 & 13
16. PREA Assessment Officer Snyder 7/29
17. Scot Alan Reuther "Sunshine" 7/7 - 8/3

CCIC (SJB 5/25 - 7/5)

18. Mack Stutton 6/23
19. Counselor Ashley Moore (CCIC)
20. Tall female guard, dark bangs & glasses (CCIC)

OSP

21. Johnny 7/26 - 8/3 cell 41

Important: Relevant psychology/sociology experiments to consider & peer review [Modern Behavior Science]

- Stanford Prison Experiment: The Lucifer effect
- Obedience to authority - Milgram
- Conformity - Solomon Asch
- Learned Helplessness
- Rat Park experiment
- Observer effect, slit-particle experiment, confirmation bias, self-fulfilling prophecy in classroom, golem effect [and much more!] Stereotype Threat

70 7/8

PS I love you
& please let me know you received this letter, by writing back

and all 8 pages (4 sheets front & back)

Page: ____ of ____ (3 page limit)

Grievance # OSCI-2023-11-037 ______ Resubmit

Official Use Only

## GRIEVANCE FORM

Name: Barrett Spencer J 22418875 DS 19A

Last First Initial SID# Cell/Block/Bunk #

Whom are you grieving: OSCI Structure Design Team

Please provide the date/time of incident giving rise to grievance: 11/1 - now (11/4)

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

I find it disgusting how OSCI can stay in operation with such disregard for life as to provide such ample/easy opportunity to hang oneself. In my cell, it looks designed for this specific purpose & I see 2 areas where cloth has been tied, on the top bed post (which would only work for a short person) and above sink, which could be fixed with plastic casing instead of holes in metal to draw a rope through. I believe in Religious Freedom and if you guys want us all to kill ourselves ~~just~~ stop beating around the bush and be more civilized/formal/legal about it. I have never been in a cell ~~easier~~ more designed for hanging.

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

Remove such barbaric designs and provide a valid death with dignity/opt-out informed consent waiver to overdose with morphine or fentanyl instead as they do in the Hospice.

11/4/23

Date

Spencer Joseph Barrett

Signature

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| | RECEIVED NOV 07 2023 OSCI GRIEVANCE OFFICE | DENIED NOV 07 2023 OSCI GRIEVANCE OFFICE | |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

For grievance information see back page. Distribution: White (Original grievance form); Canary (AIC receipt after processed)

CD 117 (11/2019)

Page: ____ of ____ (3 page limit)

Grievance # OSCI-2023-11-068

*Official Use Only*    *Resubmit*

# GRIEVANCE FORM

Name: Barrett (Last) Spencer (First) J (Initial) 22418875 (SID#) DS 19 A (Cell/Block/Bunk #)

Whom are you grieving: Buczynski, Gates, Golden, Asay, Stevenson & Highberger

Please provide the date/time of incident giving rise to grievance: 10/19, 10/24, 11/1

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

(See Grieve # OSCI_2023_10_091) On 10/19 & 11/1 I was given misconduct reports for fearing for my life, requesting Protective Custody & Segregated Housing. I told my fears to Buczynski & Gates on 10/19 and on 10/24 I told Hearing officer Don Golden who referred me to LT. Stevenson & Asay who I kited about the issue/request on 10/24. I sent a kite to Superintendant Highberger about the Staff's Deliberate Indifference, Negligence & attempt to Incite Violence, for ignoring my fears, fining me and extorting me with my Good-Time/Early Release.

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

On 11/12 I sent a kite to Superintendant requesting 1) to review & drop my violations and fines and 2) provide me with protective custody

Date: 11/12/23

Signature: [signature]

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| | RECEIVED NOV 13 2023 OSCI GRIEVANCE OFFICE | DENIED NOV 14 2023 OSCI GRIEVANCE OFFICE | |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

Page: ___ of ___ (3 page limit)

Grievance # OSP.2023.11.117

Official Use Only

Resubmit

## GRIEVANCE FORM

Name: Barrett, Spencer J 22418875 SG133

Last First Initial SID# Cell/Block/Bunk #

Whom are you grieving: Superintendants of OSP, OSCI & CCIC & Cptn. Shanley

Please provide the date/time of incident giving rise to grievance: 11/17 (most recent move, next 11/28)

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

I have been denied protective custody, sex trafficked, threatened with Death & legal retaliation if I try to defend myself while I am repeatedly moved cell to cell to endure sexual assault by Shanley & his gang, under the approval of OSP, OSCI & CCIC Superintendants. I am being refused communication with the outside world; denied envelopes &/or access to the courts; stolen/robbed of legal documents, property & records. My counselors Portnoy, Jackson & Lopez have pled to Shanley for Protective Custody, but he remains deliberately indifferent. I have proof Shanley celled me up & continues to sexually harass me. I have alerted as many parties possible including I.G. (to no avail)

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

1. protective custody (Segregated housing; no move order)
2. Contact/access to Courts (to file habeas, post conviction, 1983 & more) and family via phone & envelopes
3. protection of and access to my property/legal docs

11/24/23

Date

Spencer Joseph Barrett

Signature

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| | RECEIVED NOV 28 2023 OSP/MCCF GRIEVANCE OFFICE | DENIED DEC 07 2023 OSP/MCCF GRIEVANCE OFFICE | |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

Page: ____ of ____ (3 page limit)    Grievance # OSP 2023.12-034    ______ Resubmit

Official Use Only

# GRIEVANCE FORM

Name: Barrett (Last) Spencer (First) J (Initial) 22418875 (SID#) SG 133 (Cell/Block/Bunk #)

Whom are you grieving: Property, DSU Staff & Legal officer

Please provide the date/time of incident giving rise to grievance: Ongoing @ OSP & OSCI July '23 - 12/9/23 (work)

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

I was transferred from OSCI to OSP on 11/17. I recieved no envelopes for mailing and have yet to recieve any after sending the appropriate requests to DSU sergeant and legal officer. I have legal deadlines I am going to miss for which all those who I am grieving have shown deliberate indifference and criminal negligence. Legal officer denied help with delayed property. This is an ongoing issue involving multiple cases which have been illegally tampered with and frustrated by the O.D.O.C.: Federal Habeas Corpus 2x, Post Conviction, Petition for Dissolution of Marriage, State Habeas and civil suit (1983). I have been slandered, defamed & unable to defend myself in a court of law which imprisons me.

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

1. Access to and protection of my property: legal documents 2. Access to Courts and mailing materials and mail tracking #'s - In a reasonable & timely manner.

12/9/23
Date

Spencer Justin Barrett
Signature

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| | RECEIVED DEC 12 2023 OSP/MCCF GRIEVANCE OFFICE | DENIED DEC 13 2023 OSP/MCCF GRIEVANCE OFFICE | |
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

For grievance information see back page. Distribution: White (Original grievance form); Canary (AIC receipt after processed)

CD 117 (11/2019)

TO: Barrett, Spencer 22418875 DS-076

LAST NAME | FIRST INITIAL | SID# | CELL/BUNK#

A Hearing concerning the attached Misconduct Report will be scheduled and conducted in accordance to OAR 291-105-0005 through OAR 291-105-0100.

Notice of Hearing/Rights Served: Time: 6:15 (am/pm) Date: 10/22/23

By: A. Shanley [signature] Cpl

Printed Name/Signature Title

******************************************************************************************

## RIGHTS IN FORMAL AND INFORMAL HEARINGS

**1. HEARING:** You are entitled to a hearing whenever a Misconduct Report is filed against you. Prior to your hearing, you will be provided a copy of the Misconduct Report, a Notice of Hearing/Rights, and the Rules of Misconduct. Once you receive these documents, you will have at least 24 hours to prepare for your hearing, unless you waive this right. If you are charged with one or more major rule violations, you will have a formal disciplinary hearing before a Hearings Officer. If you are charged with only minor rule violations, you will have an informal disciplinary hearing before an adjudicator; unless you specifically request that the minor charges be heard at a formal hearing. Formal hearing proceedings will be recorded.

You may waive/decline your right to attend your hearing. Inappropriate behavior could also warrant your exclusion from participation in the hearing. In such cases, the hearing will be conducted in your absence and you will be notified in writing of the decision.

**2. REPRESENTATION/EVIDENCE:** You have a right to speak on your own behalf and present evidence at the hearing. You will be allowed to receive assistance from another person during the hearing to prepare a defense, to understand the charge or the surrounding facts and rights available to you if you have a visual, speech, or hearing disability and/or your competency is in question.

The Hearings Officer/adjudicator may exclude evidence that is determined to create a threat to the safety or security of the facility or that would not assist with the resolution of the disciplinary action. The Hearings Officer/adjudicator may consider evidence which is considered confidential and you will not be provided the names of individuals providing the information or any specific statements they may have given.

**3. INVESTIGATION/WITNESSES:** In a formal hearing, you may *request* an investigation be conducted related to the charges against you or witnesses be called to testify on your behalf. However, you should submit your request for witnesses to the Hearings Officer, in writing, in advance of the hearing, and include a list of the person(s) you are requesting be called to testify and the questions sought to be posed to each person. Requests for witnesses must minimally be made to the Hearings Officer at the time of the hearing. You must provide the Hearings Officer with sufficient evidence to conclude that the results of the investigation and/or the testimony provided by witnesses will either constitute a defense to the charge(s) or substantially lessen the severity of the violation(s). Otherwise, the Hearings Officer may deny your request. Requests for witnesses made or received after a hearing is decided will not be considered. In an informal hearing, you may *request* an investigation. Adults in Custody (AIC) are not permitted to call witnesses in an informal hearing.

6

**4. FINDINGS/SANCTIONS:** The Hearings Officer/adjudicator will decide based upon the evidence, whether you have violated the rule(s) as charged in the misconduct report. The Hearings Officer/adjudicator may dismiss the alleged rule violation(s) for insufficient evidence or corrective action using less formalized procedures. In a formal hearing, the Hearings Officer may also find a violation of a lesser included charge. The Hearings Officer may dismiss the alleged rule violation(s) at any stage of the proceedings, with or without prejudice.

If you are found in violation, the Hearings Officer/adjudicator may impose sanctions. These sanctions may include, but are not limited to: segregation, monetary fines, loss of privileges, restitution, and basic visits.

In a formal hearing, the Hearings Officer will prepare and submit to the functional unit manager, a written Finding of Fact, Conclusion, and Preliminary Order within ten (10) working days of the conclusion of your hearing.

D5-19A

Oregon Department of Corrections

# Disciplinary Hearing

## Finding of Fact, Conclusion, and Order

| | | | |
|---|---|---|---|
| **Offender Name:** | Barrett, Spencer Joseph | **Case #:** | 2308 OSP 0079 OSCI 35 |
| **SID:** | 22418875 | **Date(s) of Hearing:** | 10/25/2023, 08/15/2023 |

NOV 0 3 2023

| **Rules Charged** | **Plea** |
|---|---|
| 4.01 - Disobedience of an Order I | Deny |
| 4.40 - Unauthorized Area I | Deny |

### Procedural Points

Adult in Custody (AIC) received a copy of the Misconduct Report, Notice of Hearing, Notice of Rights in a Hearing and Rules of Prohibited Conduct. The AIC acknowledged understanding the Misconduct Report and Rights in a Hearing.

On 08/15/2023 the Hearings Officer granted the AIC's request for investigation. The case was reconvened on 10/25/2023 and concluded.

Per written testimony from staff, the AIC declined to attend the hearing and, as such, waived the right to.be present at the hearing.

### Finding of Fact

On August 25, 2023, Sergeant Heldt was working as the Disciplinary Segregation Unit (DSU) Sergeant at the Oregon State Penitentiary. Sergeant Heldt reports at approximately 1:00 pm, giving Adult in Custody (AIC) Barrett, Spencer (22418875) multiple directives to vacate the DSU cell and return to general population housing as AIC Barrett's segregation sanction was complete. AIC Barrett refused to comply and leave the DSU.

At the hearing, AIC Barrett stated they had safety concerns if released to general population. This hearing was postponed for investigation.

Captain Adamson reports the investigation was inconclusive and alternative housing was considered. - so why did OSCI not allow?

not true never offered

When this hearing was reconvened AIC Barrett was housed at the Oregon State Correctional Institution. AIC Barrett declined to be present for the reconvened hearing.

### Ultimate Findings of Fact and Conclusions

Rule 4.01, Disobedience of an Order I, and Rule 4.40, Unauthorized Area I, are dismissed due to insufficient evidence.

### Preliminary Order

| **Rule** | **Charge** |
|---|---|
| Disobedience of an Order I | Dismissed |

Oregon Department of Corrections

# Disciplinary Hearing

## Finding of Fact, Conclusion, and Order

**Offender Name:** Barrett, Spencer Joseph
**SID:** 22418875
**Case #:** 2308 OSP 0079 OSCI 35
**Date(s) of Hearing:** 10/25/2023, 08/15/2023

| Rule | Charge |
|---|---|
| Unauthorized Area I | Dismissed |

**Hearing Officer:** Foss, Ronnie (signature) **Date:** 10/25/2023

**Functional Unit Manager:** Breyman (signature) **Date:** 11/6/23

**Final Order:** ☒ Approved ☐ Order Hearing Reopened ☐ Amended per below



TO: BARRETT, SPENCER 22418875 DS-19A

LAST NAME FIRST INITIAL SID# CELL/BUNK#

A Hearing concerning the attached Misconduct Report will be scheduled and conducted in accordance to OAR 291-105-0005 through OAR 291-105-0100.

Notice of Hearing/Rights Served: Time: 1355 (am/pm) Date: 01 NOV 2023

By: D CRAWFORD/ CPL

Printed Name/Signature Title

************************************************************************************************************

## RIGHTS IN FORMAL AND INFORMAL HEARINGS

**1. HEARING:** You are entitled to a hearing whenever a Misconduct Report is filed against you. Prior to your hearing, you will be provided a copy of the Misconduct Report, a Notice of Hearing/Rights, and the Rules of Misconduct. Once you receive these documents, you will have at least 24 hours to prepare for your hearing, unless you waive this right. If you are charged with one or more major rule violations, you will have a formal disciplinary hearing before a Hearings Officer. If you are charged with only minor rule violations, you will have an informal disciplinary hearing before an adjudicator; unless you specifically request that the minor charges be heard at a formal hearing. Formal hearing proceedings will be recorded.

You may waive/decline your right to attend your hearing. Inappropriate behavior could also warrant your exclusion from participation in the hearing. In such cases, the hearing will be conducted in your absence and you will be notified in writing of the decision.

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**4. FINDINGS/SANCTIONS:** The Hearings Officer/adjudicator will decide based upon the evidence, whether you have violated the rule(s) as charged in the misconduct report. The Hearings Officer/adjudicator may dismiss the alleged rule violation(s) for insufficient evidence or corrective action using less formalized procedures. In a formal hearing, the Hearings Officer may also find a violation of a lesser included charge. The Hearings Officer may dismiss the alleged rule violation(s) at any stage of the proceedings, with or without prejudice.

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D5-19 A

Oregon Department of Corrections

# Disciplinary Hearing

## Finding of Fact, Conclusion, and Order

| | | | |
|---|---|---|---|
| **Offender Name:** | Barrett, Spencer Joseph | **Case #:** | 2311 OSCI 0001 OSCI 38 |
| **SID:** | 22418875 | **Date(s) of Hearing:** | 11/03/2023 |

| **Rules Charged** | **Plea** |
|---|---|
| 4.01 - Disobedience of an Order I | None |
| 4.40 - Unauthorized Area I | None |

### Procedural Points

Documentation provided at the hearing indicated that the Adult in Custody (AIC) had been given a copy of the Misconduct Report, Notice of Hearing/ Rights and the Rules of Prohibited Conduct.

Per written testimony from staff, the AIC declined to attend the hearing and, as such, waived the right to be present at the hearing.

A mental health evaluation was submitted for this AIC and was considered by the Hearings Officer at the time of the hearing.

### Finding of Fact

On November 1, 2023, Corporal Buczynski was working their assigned post in Unit 1 at the Oregon State Correctional Institution. Corporal Buczynski reports Adult in Custody (AIC) Barrett (22418875) released from the Disciplinary Segregation Unit (DSU) and entered Unit 1. Corporal Buczynski reports AIC Barrett asked if there was another AIC assigned to the cell with AIC Barrett and Corporal Buczynski said, "Yes." Corporal Buczynski reports AIC Barrett asked if Corporal Buczynski remembered AIC Barrett and Corporal Bucznski said, "Yes." Corporal Buczynski reports AIC Barrett said he doesn't want to have a cellmate and Corporal Buczynski that he is assigned to a cell with another AIC at this time and needed to cell in. Corporal Buczynski reports AIC Barrett said, "No. I need protective custody." Corporal Buczynski told AIC Barrett to report to his assigned cell and AIC Barrett said, "No. I need protective custody." Corporal Buczynski reports AIC Barrett was placed into restraints and escorted to DSU.

### Ultimate Findings of Fact and Conclusions

AIC overtly refused to promptly or in a timely manner comply with a valid order, which creates a threat to the safety, security, or orderly operation of a facility, thereby, violating Rule 4.01, Disobedience of an Order I.

AIC failed to be present, in any location designated by assignment, programmed activity, call out, or employee or non-employee service provider directive (or is in any location not designated by assignment, programmed activity, call out, or employee or non-employee service provider directive), which creates a threat to the safety, security, or orderly operation of a facility, thereby, violating Rule 4.40, Unauthorized Area I.

### Preliminary Order

AIC has had 2 major rule violation(s) in the past two years. Rule 4.01, Disobedience of an Order I, is on Level 3 of the Major Violation Grid.

This AIC is listed as seriously mentally ill with no significant functional impairment.

Oregon Department of Corrections

# Disciplinary Hearing

## Finding of Fact, Conclusion, and Order

**Offender Name:** Barrett, Spencer Joseph **Case #:** 2311 OSCI 0001 OSCI 38
**SID:** 22418875 **Date(s) of Hearing:** 11/03/2023

| Rule | Charge |
|---|---|
| Disobedience of an Order I | Violation |

| Sanctions | Begin Date | End Date | Days | Amount | Suspended Thru | Notes |
|---|---|---|---|---|---|---|
| Disciplinary Segregation | 11/1/2023 | 11/14/2023 | 14 | | | Credit for time served. |
| Loss of privileges | 11/3/2023 | 11/9/2023 | 7 | | | Loss of Privileges, to be served while in DSU. |
| suspended sanctions | | | | | 1/1/2024 | Suspend $25 fine, pending no major rule violations. |

| Rule | Charge |
|---|---|
| Unauthorized Area I | Violation |

| Sanctions | Begin Date | End Date | Days | Amount | Suspended Thru | Notes |
|---|---|---|---|---|---|---|
| Merged per OAR 291-105-0066(8) | | | 0 | | | |

RECEIVED

NOV - 6 2023

Superintendent's Office
Oregon State Correctional Institution

**Hearing Officer:** Golden, Donald W [signature] **Date:** 11/03/2023
**Functional Unit Manager:** [signature] **Date:** 11-7-23
**Final Order:** [X] Approved [ ] Order Hearing Reopened [ ] Amended per below




**Oregon Department of Corrections**
**Office of the Inspector General**
3601 State Street
Salem, OR 97310
Voice: 503-945-0988
Fax: 503-373-7092
oregon.gov/DOC

**Date:** 11/22/2023

**TO:** Spencer Barrett SID# 22418875
Oregon State Penitentiary
2605 State St
Salem, OR 97310-0505

**FROM:** M. Stevens [signature]
Office of the Inspector General

RE Hearings Case Number: 2310 OSCI 0054 OSCI 38

This will acknowledge receipt of your communication in which you requested an administrative review of your formal disciplinary hearing. Your petition for administrative review cannot be considered for one of the following reasons: (Refer to OAR 291-105-0085)

☐ A Petition for Administrative Review must be submitted on the proper Department form (CD 1442) to be considered. You may resubmit the request for administrative review using the proper form, which is attached.

☐ A petition for administrative review must be submitted within 60 calendar days after the order becomes final. The above mentioned case became final on. However, your request for an administrative review was received on, which is beyond the 60-day time period allowed. Therefore, your request is untimely and will not be considered.

☒ This case is not subject to administrative review as it is not a Level 1 or Level 2 violation on the major violation grid. Further, the sanction imposed does not contain a deviation from the segregation sanction listed on the grid nor does it recommend an extension of parole release date or retraction of earned time, good time or extra good time credits. Refer to OAR 291-105-0085(2). apply same argument to most recent subtraction of good (reverse bigone, extra threat) left IG vmail on 12/2 (received 11/21)

☐ This case was reviewed and a response to this appeal was sent on (DATE). No further communication on this issue will be necessary.

☐ This information presented is unclear and/or does not contain sufficient information as outlined in OAR 291-105-0085(3) (c).

cc: File

Page: ____ of ____ (3 page limit)  Grievance # ____________ Official Use Only  ______ Resubmit

## GRIEVANCE FORM

Name: Barrett (Last) Spencer (First) J (Initial) 22418875 (SID#) DSU/SG133 (Cell/Block/Bunk #)

Whom are you grieving: Superintendant of OSP, legal officer, BHS

Please provide the date/time of incident giving rise to grievance: 12/20/23

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

On 12/20 I asked the legal officer why I had not recieved my Canteen orders or envelopes, as I urgently need to reply/meet court deadlines. I submitted multiple forms and kites the week I returned to OSP from OSCI requesting envelopes including legal Envelope form, to law library, picked up by legal officer & kites to DSU Sergeant and Staff. The legal officer said he remembered picking up my Canteen orders on 12/6 (& 12/13) for envelopes & radio but told me I could kite warehouse. But there's no tracking # "so there was nothing he could do. I have already grieved an issue with this legal officer who did not follow the directions to the response where I requested a more secure method of document submission. I am afraid to grieve more after experiencing blatant retaliation/discrimination

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

① I need Envelopes ASAP and have $ to pay for that & a radio. BHS hasn't helped advocate for my rights (SMI)(ADA) I shouldnt have to wait another 2-weeks to see if my order isnt somehow Lost. Everyone else has radios and envelopes. ②. Secure method of document submission/tracking ③ Legal Property (I have envelopes in my property too & urgent documents)

Date: 12/22/23  Signature: [signature]

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

Page: ____ of ____ (3 page limit)

Grievance # ______________________ ________

Official Use Only — Resubmit

# GRIEVANCE FORM

Name: Barrett Spencer J 22418875 DSU/SG133

Last First Initial SID# Cell/Block/Bunk #

Whom are you grieving: AIC'S: Zane Johnston & Charles F. Seeley & DSU Staff & Ramirez (cell 37) - Rat!

Please provide the date/time of incident giving rise to grievance: ~11-3pm 1/11/2024

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

AIC'S Zane Johnston (cell 35 (SG135)) and Charles F. Seeley III (SG141) have repeatedly threatened and extorted other AIC'S into acts against staff by saying "If you want to be a Good Dude," "If you ever want to walk mainline again, you have to say you have a knife and will stab them," "put your sheets up," "flood your cell and when they come in dont just throw piss and get maced, you have to fight them OR you will NEVER walk mainline again," "you will get clipped at every Prison you go to" to Sean in cell 13. Staff can hear the extortion and are not holding Johnston & Seeley accountable. This also happened/similar to Tim in cell 36 on 12/21 and is a recurring event at OSP.

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

I want staff to hold AIC'S accountable and provide a safe environment for rehabilitation not Gang Culture/Creation: Provide Secure Communication system and monitor Audio threats & repeat Predators and remove the AIC to a safe place to be honest (away from Predators)

Date: 1/11/24 Signature: Spencer Joseph Barrett

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

Similar: p44 (1483) staff dont follow directions: p44 (1483)

For grievance information see back page. Distribution: White (Original grievance form); Canary (AIC receipt after processed) CD 117 (11/2019)

1. already grieved this 2. Grievance system doesnt work (no help on 20+) 3. fear staff &/or AIC retaliation 4. Do not want to risk current security/housing 5. almost out, will publish, work for real reform outside 6. The Tower (observation) can hear everything, openly permits this

Violations: 2.10, 11, 12 (Disrespect I-III), 2.15, 16 (Extortion I-II), 2.25 (sexual Harassment), 2.40 (Hostage Taking), 3.15 (Fraud), 4.05 (Disturbance), 4.35 (Racketeering), 4.45, 46 (Unauthorized Organization I-II)

Page: ___ of ___ (3 page limit) Grievance # ______ Resubmit

Official Use Only

# GRIEVANCE FORM

Name: Barrett (Last) Spencer (First) J (Initial) SID# 22418875 "See you out there!!" Cell/Block/Bunk # DSU/SG133

Whom are you grieving: AIC'S: Zane Johnston & Charles F. Seeley & DSU Staff & Ramirez (cell 37) "Rat!"

Please provide the date/time of incident giving rise to grievance: ~11-3pm 1/11/2024

List in detail all the reasons for your grievance. (What is the problem? When did it happen – date/time/place?) Attach copies of any documents or any material(s), which support your grievance, including the names of any persons you think should be questioned.

AIC'S Zane Johnston (cell 35 (SG135)) and Charles F. Seeley III (SG141) have repeatedly threatened and extorted other AIC's into acts against staff by saying "If you want to be a Good Dude," "If you ever want to walk Mainline again, you have to say you have a knife and will stab them," "put your sheets up," "flood your cell and when they come in dont just throw piss and get maced, you have to fight them OR you will NEVER walk mainline again, you will get clipped at every Prison you go to" to Sean in cell 13, Staff can hear the extortion and are not holding Johnston & Seeley accountable. This also happened/similar to Tim in cell 36 on 12/21 and is a recurring event at OSP.

Describe what action you want taken to resolve the grievance. (How can the problem be solved?)

I want staff to hold AIC's accountable and provide a safe environment for rehabillitation not Gang Culture/Creation: Provide Secure Communication system and monitor Audio threats & repeat Predators and remove the AIC to a safe place to be honest (away from Predators)

Date: 1/11/24 Signature: Sam Joseph Barrett

| Receiving Facility (If not processing facility) | Received at Processing Facility | Accepted/Denied/RFC | Accepted/Denied/RFC |
|---|---|---|---|
| Date Stamp | Date Stamp | Date Stamp | Date Stamp |

Standan: p48 (1983) staff dont follow directions: p44 (1983)

For grievance information see back page. Distribution: White (Original grievance form); Canary (AIC receipt after processed) CD 117 (11/2019)

1. already grieved this 2. Grievance system doesnt work (no help on 20+) 3. fear staff &/or AIC retaliation 4. Do not want to risk current security/housing 5. almost out, will publish-work for real reform outside 6. The "Tower/observation" can hear everything, obviously permits this

Violations: 2.10, 11, 12 (Disrespect I-III) 2.15, 16 (Extortion I-II) 2.25 (sexual Harassment) 2.40 (Hostage Taking) 3.15 (Fraud), 4.05 (Disturbance), 4.35 (Racketeering), 4.45, 46 (unauthorized Organization I-II)

Before Mailing (11/15) civil, Habeas & post c

1 ☒ $3,000,000 add to civil cover
2 ☒ " to civil page 5 of 11
~3 ☐ add to defendants: 3 superintendants, director of O.D.O.C & city of Eugene (jury ~½) (5 new defendants) + DA, Jan Polsky
~4 ☐ attach short statement with references to civil
~5 ☐ " to Habeas
6 ☐ white out Post C. County
7 ☐ Copies
  a ☐ ~98 civil (with add. statement)
  b ☐ ~15 Habeas (with add statement)
  c ☐ 5 trust (attach to Post C.)
  d ☐ 20 Post C (w/out trust)

~138 total or $13.80

---

or in hopelessness forgo added defendants, & 2 statements
JUST
  1 ☒ add $3 million (2x) cover & p 5/11
  2 ☐ white out Jackson Co
  3. ☐ make copies (+ ☐ 2x Trust)
    ☐ front & Backs
send original copy ☐ ☐ pp 2 & 3 of 4 (habeas)
send original ☐ ~ ~~☐ 58 70~~
copy only front

UPON RELEASE LEGAL ENDEAVORS

- [ ] Jackson Post Conv.
- [ ] 1983
- [ ] Fed. Habeas
- [ ] Divorce x 2 ; letter from clerk & AZ Negligence warn
- [ ] Inadequate Med & Mental see grieve: after PREA, no ADA advocate legal assist. &, legal frustrations
- [ ]

* Cannot do any legal work due to Retaliating / unqualified legal officer* since grievance #
@ OSP

1
2
3 **IN THE CIRCUIT COURT OF THE STATE OF OREGON**

4 **FOR THE COUNTY OF** Marion

5 S.J. BARRETT, ) **Case No.** ______

6 ______, )

7 )

v. )

8 HIGHBERGER, ) **PETITION FOR WRIT OF HABEAS CORPUS**

9 ______, )

10 ______. ) **--ORS 34.362--**

11 ______ )

12 **1.**

13 Highberger is the duly appointed, qualified, and acting

14 superintendent of Oregon State Correctional Institution,

15 of Marion County, Oregon.

16 **2.**

17 Plaintiff is imprisoned and restrained of liberty by defendant, Highberger,

18 of Oregon State Correctional Inst. in Marion County, Oregon.

19 **3.**

20 The cause and pretense of plaintiff's imprisonment, according to plaintiff's best knowledge and

21 belief, is that Assault in the 3rd Degree, DUII.

22 **4.**

23 The imprisonment, incarceration, and restraint of plaintiff require immediate judicial attention

24 were and are illegal and the illegality thereof consists of the following particulars: See attached (#15)

# 8th Ammendment Violation, Cruel & Unusual Punishment

1. PC @ LCAC: 8/22, 5/23 (Barrett recieved Protective Custody at Lane County Jail)
2. audiorecords: 5/23, 6/27 (Barrett requested Protective Custody)
3. paper records: kites, griev's, 2x Pet. for admin review (")
4. in person requests: 7/7 Lieutennant, 7/11 QMHP Tanya "not safe @ OSP" (and report) 7/29 Snyder & 8/4 ("you still wanna do that first (PC before PREA details)
5. 6/23: M. Stutton threats: i) wife testimony retell ii) gramps HA chapter lead & "family buried lots of bodies" iii) "drag you off bunk and smash your head in"
6. CCIC retaliation
7. 7/5: transfer to OSP, despite: i) min. 2 class ii) 3x fast & speedy requests to Benton County & response iii) loss of Trans leave - 4 months earlier release & program eligibility
8. 7/5 ~~7/7~~: M. Barnes threats: i) "I'm in a gang, Brutes, largest in Oregon" ii) "lifers in gang arent afraid to get extra charges for rat iii) "my gang takes care of me" (proof: confiscated property: shoes, TV, playstation, magazines & drugs) iv) Discovery pictures, brag & show "I hit her head in for ratting on me" v) "you cool? you do drugs or you a rat?"
9. 7/5-~~7/7~~: M. Barnes: Sexual assaults: i) standing in center of cell masturbating, groping leg and reaching toward groin while ~~at~~ SJB played Playstation w/out SJB consent ii) after SJB cleaned toilet seat Barnes grabbed his head while he was still bent and ~~pulled him~~ shoved it towards his exposed penis without SJB consent iii) 7/6, Jumped on bed, wouldnt get off, C/O's didnt respond to requests for help - one just walks by, another says "just wait til tomorrow", smiling - once Barnes gets off I kick off mattress to brace one foot on bunk "lip/edge, ~~or~~ hold tightly to cell bars and kick him as he tries to jump back up and grab/pull me off This goes on for an hour before any response and another hour as guards just stand by to watch. Finally after 3+ hours ~2am riot shield enters, knocks Barnes down and allows for my release.
10. OSP retaliation, no hygiene & no communications
11. Nonstop verbal assault; rape & death threats to ~~friends~~ person and family
12. ~~7/21 - 7/22, Adam chamberlain event~~: SJ Repeat to each new person who arrives

13. 7/21-7/22; adam chamberlain; I witnessed the abuse of a mental retard/disabled who was threatened, coerced & extorted into flooding his cell twice, giving out his mom's contact info (Susan Chamberlain, Pendleton OR, Wendys), playing with his poop and the guard had him lay in his poop for two hours before finally after 27-hours of nonstop rioting & verbal assaults, ~~the guards multiple~~ constant requests to move by both adam & other inmates & video'd in his humiliating state. How he was co-erced: "you're not giving me a reason to come get you"[BT], "your death matters nothing to me, whatsoever. Its one form"[BT], "Rey need a Ree partner?" "wanna cell with Rey, we can make that happen", "Shutup or I'm gonna bitch slap you"[BT] (after removed during toilet flooding) "kill yourself" "I'm gonna beat your ass then f* you.. with the ~~mop~~ broom handle", "wrap your pants around your neck" "finger paint w/ your poop!", "eat your poop!", "bite your arm then rub your poop in the wound!", "I'm gonna f* your granny in the a* then make you suck me off!", "grannies poop on your lip!", "gonna dig up grannys grave and skull f* her", "your granny doesnt even/never loved you", "you're gonna sit there all night, soakin' wet and shiverin cold"[BT] (arrived 6pm, outted by Kevin Brown cell 39, flood toilet by 1am - under impression to move cells, hit sprinkler 7:10pm - under same impression, begins poop play, lays in poop - 855 pm "mask up!") and camera

14. 8/5, (griev. # OSP.2023.08.009)

---

15. If Oregon Dep't of Corrections cannot provide Spencer Joseph Barrett with Protective Custody after he has explicitly stated his fears for his life and requests for Protective custody on multiple records, O.D.O.C. has and continues to violate the 8th Ammendment and should not have the authority to Confine mr. Barrett

1 **5.**

2 The legality of this imprisonment, incarceration, and restraint has not been adjudged previously by

3 any prior writ of habeas corpus.

4 **6.**

5 WHEREFORE, plaintiff prays that a writ of habeas corpus be granted, directed to defendant,

6 commanding [him/her] to file a return stating the legality of, and the time and cause of the

7 imprisonment, incarceration, and restraint of plaintiff, or to have the body of plaintiff before the court at

8 the time and place specified in the writ; to do what shall be considered by the court concerning plaintiff.

9

10 Dated this 8 day of November, 2023.

11 Respectfully Submitted,

12 Spencer Joseph Barnett

13 (Signature)
Print Name: Spencer Joseph Barnett

14 Sid # 22418875

15

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3 **IN THE CIRCUIT COURT OF THE STATE OF OREGON**

4 **FOR THE COUNTY OF** Marion

| | |
|---|---|
| 5 S.J. BARRETT, ) | |
| 6 ________, ) | Case No. ________ |
| 7 ) | **ORDER ISSUING WRIT OF HABEAS CORPUS** |
| v. ) | |
| 8 HIGHBERGER, ) | |
| 9 ________, ) | |
| 10 ________. ) | |
| 11 ________ ) | |

12 THIS MATTER having come before the court on a petition for writ of habeas corpus filed by

13 plaintiff; and

14 IT APPEARING that sufficient grounds exist for this court to inquire into the legality of the

15 imprisonment or restraint of plaintiff by defendant; and

16 IT APPEARING from the affidavit filed that plaintiff is without sufficient funds to employ counsel

17 herein; now therefore

18 IT IS HEREBY ORDERED that Allison Knight Oregon State Bar Number

19 143622, be, and is, appointed to represent plaintiff herein.

20 IT IS FURTHER ORDERED that a writ of habeas corpus shall be issued out of and under the seal

21 of this court, directed to defendant, requiring that a return of the writ be made and filed with the court on

22 or before November 22, 2023.

23 IT IS FURTHER ORDERED that plaintiff shall have until December 6, 2023, to file any

24 replication to the return.

1 IT IS FURTHER ORDERED that defendant shall have until November 22, 2023, to move
2 to dismiss the writ, if appropriate. Absent such a motion, this matter shall proceed to an evidentiary
3 hearing.
4 IT IS FINALLY ORDERED that plaintiff shall have until December 6, 2023, to
5 respond to any motion to dismiss the writ, at which time this matter shall be taken under advisement.
6
7 Dated this 8 day of November, 2023.
8
9 ______________________________
10 Circuit Court Judge
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IN THE CIRCUIT COURT OF THE STATE OF OREGON

FOR THE COUNTY OF Marion

| | |
|---|---|
| S.J. BARRETT, <br> , <br> v. <br> HIGHBERGER, <br> , <br> . | Case No. ______ <br><br> **ORDER TO APPEAR AND SHOW CAUSE FOR A WRIT OF HABEAS CORPUS** |

**THIS MATTER** having come before the court on a Petition for Writ of Habeas Corpus filed by Plaintiff, and the Court being fully advised in the premises;

IT FURTHER APPEARS that the plaintiff is indigent.

NOW THEREFORE, IT IS HEREBY ORDERED:

1. That Plaintiff may file their petition without payment of the filing fee;
2. That the Trial Court Clerk shall forward copies of all documents to the Plaintiff, Defendant, and their Attorneys of record

IT IS FURTHER ORDERED that Defendant is ordered to appear in writing within 14 days of the date of this order to show cause why the Writ prayed for in the petition herein should not be allowed in accordance with ORS 34.370 (1), (2)(a).

**ITS IS SO ORDERED** this 8 day of November, 2023.

______________________
Judge's Signature

Submitted By: S.J. BARRETT

1
2
3 IN THE CIRCUIT COURT OF THE STATE OF OREGON

4 FOR THE COUNTY OF Marion

| | | |
|---|---|---|
| S.J. BARRETT, | ) | Case No. |
| , | ) | |
| v. | ) | MOTION FOR APPOINTMENT OF COUNSEL |
| HIGHBERGER, | ) | |
| , | ) | |
| . | ) | ORS 34.362 |
| | ) | |

12 COMES NOW S.J. Barrett and respectfully moves this court for an order

13 appointing counsel to represent him in the following matter.

14 { } Post Conviction (ORS 138.590)

15 {X} Habeas (ORS 34.355 & ORS 34.365)

16 { } other

17 This motion is based upon and supported by ORS 34.362.

18 Dated this 8 day of November, 2023.

19

20 Respectfully Submitted,

21 [signature]
(Signature)
Print Name: Spencer Joseph Barrett

22 Sid # 22418875

23

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1
2
3 IN THE CIRCUIT COURT OF THE STATE OF OREGON
4 FOR THE COUNTY OF Marion

| | | |
|---|---|---|
| 5 | ) | |
| 6 S.J. BARRETT, | ) | Case No. ____________ |
| 7 ____________, | ) | |
| 8 v. | ) | MOTION FOR WAIVER OR DEFERRAL OF FEES AND COSTS FOR INDIGENTS |
| 9 HIGHBERGER, | ) | |
| 10 ____________. | ) | [ORS 34.362] |
| 11 ____________ | ) | |

12 COMES NOW S. J. Barrett, by motion and respectfully moves this

13 court pursuant to (ORS 30.643 or ORS 34.362 Habeas) for an order waiving or deferring fees
*(Circle one)*

14 and costs that may be incurred in the above entitled proceedings.

15 This motion is supported by ORS 34.362

16 attached hereto and incorporated herein by this reference.

17

Dated this 8 day of November, 2023.

18

19 Respectfully Submitted,

20 Spencer Joseph Barrett
(Signature)

21 Print Name: Spencer Joseph Barrett
Sid # 22418875

22

23

24

## AFFIDAVIT OF INDIGENCE

I, Spencer Joseph Barrett, being first duly sworn on oath, depose and say: That I make this Affidavit on connection with the herewith attached legal action; that I am financially unable to bear the costs, expenses, and fees incurred herein, including, but not limited to, the filing fee, or to employ suitable counsel. The following is a true and correct statement of my assets and liabilities, to the best of my knowledge and belief:

| | |
|---|---|
| Net Income during previous twelve months: | $ 0 |
| Real property: | $ 0 |
| Personal property: | $ 0 |
| Other assets: | $ 100 |
| Liabilities: | ~ $ 20K (student loans) |

Dated this 8 day of November, 2023.

(Signature) [signature]

State of Oregon

County of ______________________

Signed and sworn to (or affirmed) before me on ___________, 20___ by ________________

______________________________
Notary Public – State of Oregon

My commission expires: _____________



Form 02.050

## CERTIFICATE
(To be completed by the institution of incarceration.)

I certify that the applicant named herein has the sum of $ 0.01 on account to his/her credit at Oregon State Correctional Institution (name of institution). I further certify that during the past six months the applicant's average monthly balance was $ 0.14. I further certify that during the past six months the average of monthly deposits to the applicants account was $ 20.

**I have attached a certified copy of the applicant's trust account statement showing the transactions for the past six months.**

11/14/23
DATE

SIGNATURE OF AUTHORIZED OFFICER

CERTIFIED TRUE COPY

John Marian
Department of Corrections Official

Date: 11/14/23

# AIC Trust Account

## Records Request

| Date of Request | 11-05-2023 | | Facility | OSCI | Unit / Bunk | DS 19 A |
|---|---|---|---|---|---|---|
| AIC Name *(Print)* | *Last* Barrett | *First* Spencer | | *MI* J | SID Number | 22418875 |

**Purpose of Request:**

☐ **Legal Priority** *(Complete sections A & C; Section D must be completed by the Library Coordinator)*

☐ **General** *(Complete sections B & C and submit to Business Services for processing)*

**A**

*I request a printout of my trust account statement for the time period indicated in section C. This request is made in accordance with the express order of:*

The court you are filing in:

- ☒ The Marion County Circuit Court
- ☐ The Oregon Court of Appeals
- ☐ The Oregon Supreme Court
- ☐ The United States District Court
- ☐ The United States Court of Appeals for the Ninth Circuit
- ☐ The United States Supreme Court
- ☐ Other: ______

Case Number (*if known*): ______

Type of document to be filed with the court:

- ☐ Application for In Forma Pauperis
- ☐ Civil Rights Complaint (1983)
- ☐ Federal Habeas Corpus
- ☐ Mandamus Circuit Court
- ☐ Mandamus Supreme Court
- ☐ Post-Conviction Petition
- ☒ State Habeas Corpus Conditions
- ☐ Writ of Certiorari
- ☐ Other: ______

**B**

*I request a printout of my trust account statement for the time period indicated in section C for the purpose of:* ☐ Replacement statement ☐ Other reason: ______

**C**

| | Beginning Date | End Date | Pages *Staff Use Only* |
|---|---|---|---|
| *Time Period(s) Requested* | 05/25/2023 | 11/05/2023 | |

*You will be charged according to Trust Rule 291-158-0015 at the rate of .50/page. If you do not have sufficient funds or the request is not deemed legal priority, the request will be denied.*

I understand that in signing this AIC account statement request, I have consented to the withdrawal of funds from my account by the Oregon Department of Corrections in the amount stated on the request. I also understand and agree that if sufficient funds are not available in my account at the time this withdrawal request is presented to the Department's Central Trust office (or field office) for processing, the Department has my consent to continue to withdraw funds that may in the future be deposited into my general spending trust account, without prior notice or hearing, until it has recovered funds sufficient to satisfy the amount stated on the withdrawal request.

AIC Signature: [signature]

**D**

*Library Coordinator Review*

[signature] & Stamp

☒ *Request approved, meets legal priority criteria.* ☐ *Request denied, does not meet legal priority criteria.*

*If approved, a certified copy of the trust account statement will be provided.*

*Financial Services Staff Use Only*

| | | |
|---|---|---|
| ☒ Approved / trust account statement attached. | Total number of pages produced | 3 |
| ☐ Denied / AIC does not have sufficient funds for this request (*and is not legal priority*). | Charge per page | $ .50 |
| | Total amount to be charged to AIC's trust account | $ 1.50 |
| Staff responding to request | J. Marian | Date 11/14/23 |

CD1803 (7/2020)

Form 06.000

MARIONJ | OREGON DEPARTMENT OF CORRECTIONS | OTRTASTA

T R U S T   A C C O U N T   S T A T E M E N T   12.1.1.0.1.5 ODOC

DOC: 0022418875   Name: BARRETT, SPENCER JOSEPH   DOB: 04/18/1994

LOCATION: OSCI-DSU-DS_19A

Max Date:

ACCOUNT BALANCES Total: 5.11 CURRENT: 5.11 HOLD: 0.00

05/25/0223   11/05/2023

| SUB ACCOUNT | START BALANCE | END BALANCE |
|---|---|---|
| 2101 AIC SPENDING ACCOUNT | 0.00 | 0.00 |
| 2113 TRANSITIONAL SAVINGS | 0.00 | 5.10 |

DEBTS AND OBLIGATIONS

| TYPE | PAYABLE | INFO NUMBER | AMOUNT OWING | AMOUNT PAID | WRITE-OFF AMT |
|---|---|---|---|---|---|
| REST | OJD - RESTITUTION, FINES & FEES | 06132023 | 490.00 | 10.00 | 0.00 |
| LPDOCA | LEGAL COPIES DOC ADVANCE | 06092023 | 0.30 | 3.50 | 0.00 |
| LPCCCA | LEGAL POSTAGE CCCF ADVANCE | 06092023 | 0.00 | 2.01 | 0.00 |
| COPA | COPY ADVANCE | 06092023 | 0.00 | 7.80 | 0.00 |
| OCICA | OCIC POSTAGE ADVANCE | 06292023 | 0.00 | 25.47 | 0.00 |
| FDISA | DISCIPLINARY FINES ADVANCE | 09012023 | 23.40 | 26.60 | 0.00 |

TRANSACTION DESCRIPTION -- COURT ORDERED OBLIGATIONS

| DATE | TYPE | TRANSACTION DESCRIPTION | TRANSACTION AMT |
|---|---|---|---|
| 05/01/2023 | REST | New Debt Received | 500.00 |

TRANSACTION DESCRIPTIONS -- 2101 AIC SPENDING ACCOUNT SUB-ACCOUNT

| DATE | TYPE | TRANSACTION DESCRIPTION | TRANSACTION AMT | BALANCE |
|---|---|---|---|---|
| 05/26/2023 | AD | Cash on Arrival | 0.00 | 0.00 |
| 05/31/2023 | DEP | CCCF Intake Deposit | 1.90 | 1.90 |
| 05/31/2023 | DED | Deduction-TRSA-05262023 D D | ( 0.10) | 1.80 |
| 05/31/2023 | DED | Deduction-CLR-05262023 D D | ( 0.95) | 0.85 |
| 05/31/2023 | DED | Deduction-CLR-05262023 D D | 0.95 | 1.80 |
| 06/05/2023 | LPDOCS | CCCF Legal Priority Copies DOC Sale | ( 1.00) | 0.80 |
| 06/09/2023 | LPCCCS | Legal Postage CCCF Sale | ( 0.67) | 0.13 |
| 06/09/2023 | LPCCCA | Legal Postage CCCF Advance | 0.67 | 0.80 |
| 06/09/2023 | LPCCC | Legal Postage CCCF Debt | ( 0.67) | 0.13 |
| 06/09/2023 | LPCCCA | Legal Postage CCCF Advance | 0.67 | 0.80 |
| 06/09/2023 | LPCCC | Legal Postage CCCF Debt | ( 0.67) | 0.13 |
| 06/09/2023 | LPCCCA | Legal Postage CCCF Advance | 0.67 | 0.80 |

MARIONJ OREGON DEPARTMENT OF CORRECTIONS OTRTASTA

TRUST ACCOUNT STATEMENT 12.1.1.0.1.5 ODOC

DOC: 0022418875 Name: BARRETT, SPENCER JOSEPH DOB: 04/18/1994

LOCATION: OSCI-DSU-DS_19A

Max Date:

| DATE | TYPE | TRANSACTION DESCRIPTION | TRANSACTION AMT | BALANCE |
|---|---|---|---|---|
| 06/09/2023 | LPCCC | Legal Postage CCCF Debt | ( 0.67) | 0.13 |
| 06/09/2023 | LPDOCA | Legal Priority Copies DOC Advance | 0.30 | 0.43 |
| 06/09/2023 | LPDOC | Legal Priority Copies DOC Debt | ( 0.30) | 0.13 |
| 06/09/2023 | LPDOCA | Legal Priority Copies DOC Advance | 1.60 | 1.73 |
| 06/09/2023 | LPDOC | Legal Priority Copies DOC Debt | ( 1.60) | 0.13 |
| 06/09/2023 | COPA | Copy Advance | 7.50 | 7.63 |
| 06/09/2023 | COP | Copy Debt | ( 7.50) | 0.13 |
| 06/09/2023 | LPDOCA | Legal Priority Copies DOC Advance | 1.60 | 1.73 |
| 06/09/2023 | LPDOC | Legal Priority Copies DOC Debt | ( 1.60) | 0.13 |
| 06/12/2023 | COPA | Copy Advance | 0.30 | 0.43 |
| 06/12/2023 | COP | Copy Debt | ( 0.30) | 0.13 |
| 06/13/2023 | DEP | BARRETT COLLEEN F | 50.00 | 50.13 |
| 06/13/2023 | DED | Deduction-REST-06132023 D D | ( 5.00) | 45.13 |
| 06/13/2023 | DED | Deduction-TRSA-05262023 D D | ( 2.50) | 42.63 |
| 06/13/2023 | DED | Deduction-CLR-05262023 D D | ( 25.00) | 17.63 |
| 06/13/2023 | DED | Deduction-CLR-05262023 D D | 25.00 | 42.63 |
| 06/13/2023 | DED | Deduction-COPA-06092023 D D | ( 7.80) | 34.83 |
| 06/13/2023 | DED | Deduction-LPCCCA-06092023 D D | ( 2.01) | 32.82 |
| 06/13/2023 | DED | Deduction-LPDOCA-06092023 D D | ( 3.50) | 29.32 |
| 06/15/2023 | COPS | Copy Sales | ( 0.60) | 28.72 |
| 06/15/2023 | COPS | Copy Sales | ( 0.60) | 28.12 |
| 06/15/2023 | COPS | Copy Sales | ( 3.60) | 24.52 |
| 06/28/2023 | 2756A | Pay. ICS Corrections Comm System (Reg) | ( 15.00) | 9.52 |
| 06/29/2023 | OCICA | Intake Postage Advance | 25.47 | 34.99 |
| 06/29/2023 | OCIC | Intake Postage Debt -UPS | ( 25.47) | 9.52 |
| 06/30/2023 | DED | Deduction-OCICA-06292023 D D | ( 9.52) | 0.00 |
| 07/05/2023 | INT1 | Interest Distribution | 0.01 | 0.01 |
| 07/05/2023 | DED | Deduction-CLR-05262023 D D | ( 0.01) | 0.00 |
| 07/05/2023 | DED | Deduction-CLR-05262023 D D | 0.01 | 0.01 |
| 07/10/2023 | LPDOCA | Legal Priority Copies DOC Advance | 0.30 | 0.31 |
| 07/10/2023 | LPDOC | CCCF Legal Priority Copies Debt | ( 0.30) | 0.01 |
| 07/31/2023 | DED | Deduction-OCICA-06292023 D D | ( 0.01) | 0.00 |
| 08/04/2023 | INT1 | Interest Distribution | 0.01 | 0.01 |
| 08/04/2023 | DED | Deduction-CLR-05262023 D D | ( 0.01) | 0.00 |
| 08/04/2023 | DED | Deduction-CLR-05262023 D D | 0.01 | 0.01 |
| 08/31/2023 | DED | Deduction-OCICA-06292023 D D | ( 0.01) | 0.00 |
| 09/01/2023 | FDISA | Disciplinary Fines Advance | 50.00 | 50.00 |

MARIONJ

OREGON DEPARTMENT OF CORRECTIONS

T R U S T   A C C O U N T   S T A T E M E N T

OTRTASTA
12.1.1.0.1.5 ODOC

DOC: 0022418875   Name: BARRETT, SPENCER JOSEPH   DOB: 04/18/1994

LOCATION: OSCI-DSU-DS_19A

Max Date:

| DATE | TYPE | TRANSACTION DESCRIPTION | TRANSACTION AMT | BALANCE |
|---|---|---|---|---|
| 09/01/2023 | FDIS | Disciplinary Fines Debt2307A017A35 | ( 50.00) | 0.00 |
| 09/05/2023 | INT1 | Interest Distribution | 0.01 | 0.01 |
| 09/05/2023 | DED | Deduction-CLR-05262023 D D | ( 0.01) | 0.00 |
| 09/05/2023 | DED | Deduction-CLR-05262023 D D | 0.01 | 0.01 |
| 09/07/2023 | DEP | BARRETT COLLEEN F | 50.00 | 50.01 |
| 09/07/2023 | DED | Deduction-REST-06132023 D D | ( 5.00) | 45.01 |
| 09/07/2023 | DED | Deduction-TRSA-05262023 D D | ( 2.50) | 42.51 |
| 09/07/2023 | DED | Deduction-CLR-05262023 D D | ( 25.00) | 17.51 |
| 09/07/2023 | DED | Deduction-CLR-05262023 D D | 25.00 | 42.51 |
| 09/07/2023 | DED | Deduction-OCICA-06292023 D D | ( 15.93) | 26.58 |
| 09/07/2023 | DED | Deduction-FDISA-09012023 D D | ( 1.57) | 25.01 |
| 09/29/2023 | DED | Deduction-FDISA-09012023 D D | ( 25.01) | 0.00 |
| 10/03/2023 | INT1 | Interest Distribution | 0.01 | 0.01 |
| 10/03/2023 | DED | Deduction-CLR-05262023 D D | ( 0.01) | 0.00 |
| 10/03/2023 | DED | Deduction-CLR-05262023 D D | 0.01 | 0.01 |
| 10/31/2023 | DED | Deduction-FDISA-09012023 D D | ( 0.01) | 0.00 |

TRANSACTION DESCRIPTIONS -- 2113 TRANSITIONAL SUB-ACCOUNT SAVINGS

| DATE | TYPE | TRANSACTION DESCRIPTION | TRANSACTION AMT | BALANCE |
|---|---|---|---|---|
| 05/31/2023 | DED | Deduction-TRSA-05262023 D D | 0.10 | 0.10 |
| 06/13/2023 | DED | Deduction-TRSA-05262023 D D | 2.50 | 2.60 |
| 09/07/2023 | DED | Deduction-TRSA-05262023 D D | 2.50 | 5.10 |

RECEIVED AND FILED
2023 OCT 3 AM 11:01
JACKSON COUNTY COURTS
DOCKETED BY: ________

1
2
3 IN THE CIRCUIT COURT OF THE STATE OF OREGON
4 FOR THE COUNTY OF JACKSON

| | | |
|---|---|---|
| 5 S.J. BARRETT, | ) | |
| 6 | ) | Case No. ________ |
| Petitioner, | ) | |
| 7 | ) | |
| v. | ) | |
| 8 | ) | PETITION FOR POST CONVICTION RELIEF |
| STATE OF OREGON, | ) | |
| 9 ________, | ) | |
| 10 Defendant. | ) | (ORS 138.510 – 138.680) |
| 11 ________ | ) | |

CIRCUIT COURT OF OREGON
MARION COUNTY COURTHOUSE
PO BOX 12869
SALEM OR 97309-0869

☐ 20 pages
☐ (add 5 trust before sending)
☐ correct "Jackson" (to Marion) 4X

1
2
3 IN THE CIRCUIT COURT OF THE STATE OF OREGON
4 FOR THE COUNTY OF JACKSON

| | | |
|---|---|---|
| S.J. BARRETT, | ) | Case No. ________ |
| Petitioner, | ) | |
| v. | ) | PETITION FOR POST CONVICTION RELIEF |
| STATE OF OREGON, | ) | |
| ________, | ) | |
| Defendant. | ) | (ORS 138.510 – 138.680) |
| ________ | ) | |

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12 **COMES NOW** the above-named Petitioner *pro se*, and respectfully petitions this court
13 for post-conviction relief pursuant to ORS 138.510 – 138.680, and alleges as follows:

14 **1.**

15 Petitioner is imprisoned in the Oregon State Penitentiary located in the
16 City of Salem, County of Marion, State of Oregon and is
17 unlawfully confined and restrained of liberty by the above-named Defendant.

18 **2.**

19 Petitioner's imprisonment is by virtue of a judgment and sentence imposed by the
20 Jackson County Circuit Court in the case of State of Oregon vs
21 S.J. Barrett Circuit Court Number 22CR37006. The judgment was
22 entered on 8/8/2022. Sentence was imposed on or about 8/8/2022. The
23 sentencing judge was the Honorable ________, and the judgment sentences.

1 **3.**

2 Petitioner was charged in the foregoing proceedings with the following offenses:

3 Count 1 - Trespass 2.

4 Count 2 - Criminal Mischief 2.

5 Count 3 - Interfere with Peace Officer

6 Petitioner was convicted of the following offenses:

7 Count 1 - False Reporting to Police.

8 Count 2 - ______.

9 Count 3 - ______.

10 **4.**

11 Following a *jury trial/bench trial/plea of guilty/plea of no contest.*

12 The final judgment imposed sentences of:

13 Count 1 - Time Served & 18 months probation

14 Count 2 - ______.

15 Count 3 - ______.

16 **5.**

17 Petitioner was represented by attorney Colin Bradshaw, OSB#

18 214192, at the trial level proceedings. Said attorney was *retained/appointed.*

19 **6.**

20 An appeal *was/was not* taken from said conviction and sentence. The Oregon Court of

21 Appeals entered its judgment on ______, and the result was: ______.

22

23

1 **7.**

2 A Petition for Review *was/was not* filed in the Oregon Supreme Court. The decision of

3 the Oregon Supreme Court was filed on ___________ and was:

4 ______________________________.

5 The attorney of record on the appeal was: ______________, OSB# ______________.

6 **8.**

7 Petition *has/has not* previously applied for post-conviction relief pertaining to this case.

8 The result of the previous post-conviction relief case was: ________________.

9 **9.**

10 At the present time, Petitioner is financially *unable/able* to retain counsel.

11 **10.**

12 This Petition is being filed within two years of the date that the appeal was final in

13 Oregon Appellate courts.

14 **11.**

15 Petitioner asserts that his current imprisonment from the proceedings described above

16 was, and is, illegal. Petitioner was substantially denied his rights in violation of ORS 138.510 to

17 138.680 as follows:

18

19

20

21

22

23

1 **FIRST CLAIM FOR RELIEF**

2 Petitioners imprisonment was, and is, illegal and the proceedings resulted in a substantial

3 denial of Petitioner's rights in violation of ORS 138.510 to 138.680 in that Petitioner was denied

4 effective and adequate assistance of trial counsel in violation of the Fifth, Sixth, and Fourteenth

5 Amendments to the United States Constitution, and Article 1, §11 and §16, of the Oregon

6 Constitution in the following particulars:

7

8 1) Trial Counsel was ineffective in

9 Retrieving the Defendants Phone/address-book which was

10 unreasonably searched, seized and still held by the Ashland

11 Police Department, Violating the 4th Ammend. & denying defendant contacts for assistance and Advice

12 2) Trial Counsel was ineffective in assisting the Defendant in

13 Voluntarily, intelligently & knowingly understanding the

14 Charges against him were not the same he signed for in

15 his petition (Changed at last minute from Criminal Mischief II to False reporting - refer to court audio/transcript/record)

16 3) Trial Counsel was ineffective in

17 assisting the Defendant in withstanding the Judges

18 intimidation of the Defendant and convincing/coercing

19 /extorting defendant to change his plea from "no contest" to "guilty" (refer to court audio/transcript 8/8/2022)

20 4) Trial Counsel was ineffective in

21 Evaluating the Defendants fitness and ability

22 to defend/assist in his defense, as Lane County

23 determined One month later Defendant was unfit.

## SECOND CLAIM FOR RELIEF

Petitioner's imprisonment was, and is, illegal and the proceedings resulted in a substantial denial of Petitioner's rights in violation or ORS 138.510 to 138.680 in that Petitioner was denied effective and adequate assistance of appellate counsel in violation of the Fifth, Sixth, and Fourteenth Amendments to the United States Constitution, and Article 1, § 11 and §16, of the Oregon Constitution in the following particulars:

1) Appellate Counsel was ineffective in

____________________________________________

____________________________________________

________________________.

2) Appellate Counsel was ineffective in

____________________________________________

____________________________________________

________________________.

3) Appellate Counsel was ineffective in

____________________________________________

____________________________________________

________________________.

4) Appellate Counsel was ineffective in

____________________________________________

____________________________________________

________________________.

1 **THIRD CLAIM FOR RELIEF**

2 Petitioner's imprisonment was, and is, illegal and the proceedings resulted in a substantial
3 denial of Petitioner's rights in violation of ORS 138.510 to 138.680 in that petitioner was denied
4 due process of law under the constitutions of both Oregon and the United States in the following
5 particulars:

6

7 1) Violation of the 4th Ammendment: Ashland Police
8 Unreasonably searched, seized and stole the Defendants
9 phone (& effective address book) during the Arrest, on
10 Body Cam footage and are still in the Possession of.
11 * Causing the Defendant to go months without the
12 ability to contact family, friends and other
13 assistance (without phone numbers/addresses)
14 subjecting the Defendant to Cruel & Unusual
15 * punishment and immense psychological harm
16 and possibly permanent damage and life
17 long fear of the State & U.S. Government.
18 This invites police to play games and shield their
19 * Searches from Fourth Ammendment Scrutiny
20 – the police will have Carte blanche to look
21 inside any phone, car or any home.
22 ____________________.
23

1 Petitioner asserts that each of the above listed claims entitles him to post-conviction
2 relief. However, to the extent that no singular claim is sufficiently prejudicial to warrant a grant
3 of post-conviction relief, petitioner asserts that the cumulative effect of petitioner's claims is
4 sufficiently prejudicial as to warrant relief.
5 WHEREFORE, Petitioner *pro se* prays this Court for an order reversing conviction(s) and
6 sentence(s) in State of Oregon vs. S.J. Barrett, Jackson County Circuit
7 Court Number 22CR37006, expunging the records of Petitioner's arrest and
8 convictions, releasing Petitioner from the custody of the Defendant, and/or for such further relief
9 as this Court deems just and proper.
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1 **CERTIFICATION/VERIFICATION/DECLARATION**

2 I, S.J. Barrett, Petitioner *pro se*, do swear affirmatively and say that I am
3 the Petitioner named in the foregoing petition for post-conviction relief; that I have read said
4 petition, that I know the contents thereof, and that all the facts alleged therein are true and correct
5 to the best of my knowledge. I have not submitted records or other documentary evidence
6 supporting my allegations at this time because such records are not currently available to me. I
7 will submit all necessary documents supporting my allegations with the assistance of counsel
8 after development of the record and after discovery as allowed by the Oregon Rules of Civil
9 Procedure. It is my intention to comply with ORS 138.580 at my first opportunity and attach
10 "Affidavits, records, or other documentary evidence supporting the allegations in the petition"
11 with my Formal Petition and with the assistance of suitable counsel as required under ORS
12 138.590(2). Assuming post-conviction counsel fails to submit such "Affidavits, records, or other
13 documentary evidence," petitioner asserts he/she has not been provided the requisite "suitable
14 counsel."

15 I further declare that the statements contained in this petition are true to the best of my
16 knowledge and belief, and that I understand they are made for use as evidence in court and are
17 subject to penalty of perjury.

18 Dated this 28 day of September, 2023

19 Submitted by,

20 [signature]
Name: Spencer Joseph Barrett Petitioner *pro se*
21 SID #: 22418875

22

23

Exhibit 1.1
(Signed a petition for Criminal misch. before court, not for False Reporting
refer to court Audio transcript/record 8/8/2022

**IN THE CIRCUIT COURT OF THE STATE OF OREGON**
**FOR THE COUNTY OF JACKSON**

THE STATE OF OREGON
Plaintiff,

vs.

SPENCER JOSEPH BARRETT
Defendant.

Case No. **22CR37006**

PETITION TO ENTER PLEA OF GUILTY AND ORDER PERMITTING SAME

I represent as follows:

(1) My true name is **Spencer Joseph Barrett.**; My DOB is **04/18/1994**. I am **28** years of age; I read, write and understand the English language, or I have had my attorney, or someone else on my behalf, who reads, writes and understands the English language, review the Petition to Enter Plea of Guilty and Order Permitting Same with me.

(2) I request all proceedings against me to be had in the above name.

(3) The attorney representing me is **Colin Bradshaw**. I have received a copy of the indictment (information) before pleading and have read it, discussed it with my attorney and fully understand all charges made against me.

(4) I have told my attorney all the facts and circumstances as known to me concerning the matters mentioned in the indictment (information) and believe that my attorney is fully informed as to all such matters. My attorney has informed, counseled and advised with me at length as to the nature of each accusation against me and as to any possible defenses I might have.

(5) My attorney has advised me to the maximum penalty of **364 days of imprisonment and a fine of $6,250.** I have also been advised, if I am pleading to a felony, that under Oregon Sentencing Guidelines the potential period of incarceration is determined by relating the crime severity of the crime of conviction to the criminal history scale. I have also been advised that if the court finds substantial and compelling reasons may impose either more or less time than called for in the presumptive grid block range. An upward durational departure from a presumptive incarceration term shall not total more than double the maximum duration of the presumptive incarceration term. I also have been advised as to the possibility of consecutive sentences being imposed.

(6) I understand that I am not required to plead guilty and may plead not guilty if I choose. If I plead not guilty, I understand I am entitled to a speedy trial before a jury of my peers, that I have the right to call witnesses in my behalf and at no expense to me, and that any such witnesses so called would be compelled to appear and testify; that I have an absolute right to confront any witness who would testify against me and cross examine such witness; that I need not take the witness stand or give any testimony against myself; that the sole burden of proof is upon the State of Oregon to establish my guilt, which must be established beyond a reasonable doubt, that I have a right to the assistance of a lawyer for my defense at all stages of the proceedings, including a lawyer at State expense if I cannot afford one. I understand that by pleading guilty I give up these rights.

(7) I also understand that a prior record could not be used against me except for impeachment purposes; that any admissions, statements or confessions which I may have made or any evidence obtained by virtue of a search and seizure of my property may well be inadmissible against me in evidence unless certain of my constitutional rights have been safeguarded, which rights have been explained to me.

(8) I declare that no officer or agent of any branch of the government nor any lawyer or any other person has made any promise to me, or within my knowledge to anyone else, that I would receive a lighter sentence or any other form of leniency by pleading guilty, with the exception that: **in consideration of my plea of guilty to Count 1 (CMII), the State will recommend: 18 months b/p, 10 days jail CFTS; no contact w/Beaux Club – 347 E Main St., Ashland; no contact w/ Andrea Assuncao; restitution. The State will dismiss the remaining counts.**

(9) I fully understand that the actual sentence is up to the Court, no matter what any recommendations may be.

(10) I believe that my attorney has done all that anyone could do to counsel and assist me, and that there is nothing about the proceedings in this case against me which I do not fully understand. I am satisfied with the advice and help he/she has given me.



_____ Defendant's Initials
_____ Attorney's Initials

Exhibit 1.2

(11) I know if I claim to be innocent, the court will not accept my guilty plea. I am pleading to the crime(s):
**Count No. 1 – Criminal Mischief II (A Misdemeanor; ORS 164.354).**

Charged the Count No. 2 @ Trial pleading ...

(12) I have taken no drink or drug nor anything else which would in any way impair my judgment at this time, and I am now fully alert. In signing this petition, I am doing so knowingly and voluntarily and offer my guilty plea of my own free will and accord with a full understanding of all the matters set forth in the indictment (information) and in this petition.

(13) The factual basis of my guilty plea is: **as alleged in the charging instrument.**

(14) If I am not a citizen of the United States, I understand that a plea of guilty or a conviction could result in deportation or denial of United States Citizenship.

(15) I understand that if I am not a citizen of the United States and I am pleading guilty to a crime which is considered an aggravated felony under 8 USC 1101 this conviction will result in removal proceedings against me unless the United States Attorney General or his designee chose not to pursue removal. I also understand that this conviction will result in a change of my immigration status.

(16) In addition to the sentence imposed, I understand that there may be other significant consequences if I enter a "guilty" or "no contest" plea, including but not limited to, a prohibition from leaving the state without first requesting transfer of supervision under the provisions of the Interstate Compact for Adult Offender Supervision.

(17) I understand that if I enter a plea of guilty or no contest to an offense involving domestic violence, as defined in ORS 135.230, and am convicted of the offense, federal law may prohibit me from possessing, receiving, shipping, or transporting any firearm or firearm ammunition and that the conviction may negatively affect my ability to serve in the Armed Forces of the United States as defined in ORS 348.282 or to be employed in law enforcement.

(18) I agree that if I withdraw or if a court later reverses, vacates, or sets aside my plea of "Guilty" or "No Contest" in this case, the court will reinstate any charge(s) that were dismissed in return for my plea and the district attorney no longer will be bound by any promises made to me in exchange for my plea. If the court reinstates the charge(s), I waive the statute of limitations and any statutory or constitutional speedy trial or double jeopardy rights applicable to the dismissed charges.

***(19) I hereby acknowledge that my attorney or the Court has furnished me with a Notice and Advice of Right to Appeal pursuant to ORS 137.020 (5).***

Signed by me in the presence of my attorney, if I have one, this ______ of _________________, 2022.

______________________________
Spencer Joseph Barrett
Defendant

**CERTIFICATE OF COUNSEL**

I certify as follows:

(1) That I have read and fully explained to the Defendant the allegations contained in the indictment (information) in this case.

(2) That to the best of my knowledge and belief the statements, representations declarations made by the Defendant in this petition are accurate and true.

(3) That the plea of guilty of the Defendant accords with my understanding of the facts as related to me by the Defendant and is consistent with my advice to the Defendant.

(4) That in my opinion the Defendant's plea is voluntarily and understandingly made and I recommend that the plea be accepted by the Court, and entered on behalf of the Defendant.

Signed by me in the presence of the Defendant above named and after full discussion of the contents of this certificate with the Defendant this _____ of ________________, 2022.

______________________________
Colin Bradshaw, OSB #214192
Attorney for Defendant



_____ Defendant's Initials
_____ Attorney's Initials

**IN THE CIRCUIT COURT OF THE STATE OF OREGON**

**FOR THE COUNTY OF** Jackson

S.J. BARRETT,
Petitioner,

v.

STATE OF OREGON,
Defendant.

**Circuit Court Case**

**No.**

**MOTION TO PROCEED INDIGENT**

**-- ORS 138.590 --**

COMES NOW S.J. Barrett and moves this court for an order allowing him/her to proceed as a financially eligible person pursuant to ORS 138.510 – ORS 138.680.

This motion is based upon the attached affidavit stating inability to pay the expenses of this proceeding, including, but not limited to, the filing fee required by ORS 138.560.

Dated this 28 day of September, 2023.

Respectfully Submitted,

[signature]
(Signature)
Print Name: Spencer Joseph Barrett
Sid # 22418875

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF Jackson

S.J. BARRETT
Plaintiff/Petitioner

v.

STATE OF OREGON
Defendant/Respondent

**Case No.** ______

**APPLICATION FOR APPOINTMENT OF COUNSEL & DECLARATION IN SUPPORT**

Applicant Name: Spencer (First) Joseph (Middle) Barrett (Last)
*(Name of person to be represented)*

***ACCESS TO THIS DOCUMENT IS RESTRICTED TO PROTECT THE PRIVACY OF PARTIES***

I am the ☒ plaintiff/petitioner ☐ defendant/respondent ☐ other: ______

1. I am applying for appointment of counsel in this case because I cannot pay for a lawyer without substantial financial hardship
2. I understand that payment is a debt to the state of Oregon. Additional fees may be added for administrative and collection costs.
3. I understand that if I am appointed counsel, I may be ordered to pay a portion of the cost based on my financial ability
4. I understand that if any information provided on this application is not true, I may be required to pay the full cost of my representation. I understand I may be charged with a crime and/or contempt of court.

## *Declaration*

**1. PERSONAL**

Date of Birth (month/day/ year) 04/18/1994

*SSN: 647-20-2350 Driver License/State ID: ____________

**I am providing my Social Security number voluntarily. I understand that I cannot be forced to provide it or be denied consideration solely for failure to provide it. It may be used to verify my identification, employment information, and for collection of fees.*

Number of legal dependents in your household: 1

*Complete the rest of the form with amounts for yourself and your spouse/Registered Domestic Partner combined*

**2. INCOME AND EMPLOYMENT**

*Amount received per month (after taxes are taken out)*

- Wages, Salary, other work income: 0
- Spousal/Partner Support: 0
- Child Support: 0
- Unemployment payments: 0
- Retirement (pension/401K/IRA): 0
- SSI: 0
- Tribal benefits: 0
- Income from other sources: 0
  *(including annuities, settlement income, and any other source of funds or support)*

**TOTAL INCOME FROM ALL SOURCES:** 0

**Employment Information** *(the court may contact your employer to verify information)*

List all current employers and sources of income for **yourself**

| Name | Address or Location | Occupation | Monthly Income |
|---|---|---|---|
| | | | |
| | | | |

List all current employers and sources of income for **your spouse/Registered Domestic Partner**

| Name | Address or Location | Occupation | Monthly Income |
|---|---|---|---|
| | | | |
| | | | |

**4. ASSETS**

Total cash available from all accounts: 0 *(cash, checking account, savings, etc.)*

- Bank Accounts *(in your name or your spouse's/Registered Domestic Partner's name)*

| Name of Bank | Account #: | Current Balance: |
|---|---|---|
| | | |
| | | |
| | | |
| | | |

- Real Property *(in your name or your spouse's/Registered Domestic Partner's name)*

| Address | Equity |
|---|---|
| | |
| | |

- Vehicle *(regular use car, truck, motorcycle, scooter, etc.)*

| Year, Make, Model: | Value: | Equity: |
|---|---|---|
| | | |

- Personal Property *(including additional vehicles, boats, recreational vehicles, guns, jewelry, livestock, business interests, etc.)*

| Description: | Value: |
|---|---|
| | |
| | |
| | |

☐ Additional page attached titled "Personal property, cont."

**TOTAL VALUE OF ALL ASSETS & CASH:** 0

**5. MONTHLY EXPENSES** *(per month)*

- Child care: 0
- Court fines or judgments: 0
- Medical expenses and health insurance costs: 0
- Student loans and education expenses: 0

**TOTAL MONTHLY EXPENSES:** 0

**6. Debts**

*(in your name or your spouse's/Registered Domestic Partner's name)*

| Description: | Total: |
|---|---|
| FAFSA / STUDENT LOANS | ~20K+ |
| Credit card debt | 5-10K |
| | |
| | |
| | |

☐ Additional page attached titled "Debts, cont."

**7. OTHER INFORMATION YOU WANT COURT TO CONSIDER**

Petitioner is currently imprisoned by the Oregon Department of Corrections and was previously homeless

**I hereby declare that the above statements are true to the best of my knowledge and belief. I understand they are made for use as evidence in court and I am subject to penalty for perjury.**

10/5/23
Date

[signature]
Signature

Spencer Joseph Barrett
Name (printed)

O.S.P., 2605 State St, Salem, OR 97310 — 541-760-2183
Contact Address — City, State, ZIP — Contact Phone

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF JACKSON

S.J. BARRETT
Plaintiff/Petitioner

v.

STATE OF OREGON
Defendant/Respondent

**Case No.** ____________

**RELEASE OF INFORMATION**

Applicant Name: Spencer Joseph Barrett
*(Name of person to be represented)* First / Middle / Last

I consent to the release of any information requested by the court in this case, regardless of whether the information is protected by federal or state law.

I consent to release information and records to the court's designee.

This release is valid for **6 months** from the date signed or until the conclusion of my case, whichever is sooner.

My Full Name: Spencer Joseph Barrett

My Date of Birth: 04/18/1994

My Social Security Number: 647-20-2350

My Driver License State and Number: ——

10/5/23
Date

[signature]
Signature

Spencer Joseph Barrett
Name (printed)

2605 State st, Salem, OR, 97310 541-760-2183
Contact Address / City, State, ZIP / Contact Phone

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR THE COUNTY OF JACKSON

S.J. BARRETT
Plaintiff/Petitioner

v.

STATE OF OREGON
Defendant/Respondent

Case No. ____________

**APPLICATION FOR DEFERRAL OR WAIVER OF FEES & DECLARATION IN SUPPORT**

Applicant's Full Name: Spencer (First) Joseph (Middle) Barrett (Last)

***ACCESS TO THIS DOCUMENT IS RESTRICTED TO PROTECT THE PRIVACY OF PARTIES***

I am the ☒ plaintiff/petitioner ☐ defendant/respondent ☐ other: ____________

I am unable to pay the following right now:

☒ Filing fee for ☒ Petition/Complaint/Claim ☐ Response/Answer ☐ Motion *or*
☐ *(name of document)*: ____________

☒ Settlement conference, arbitration, or trial fee

☒ Sheriff's service fee *(explain why you cannot find another person to serve papers. Service can be done by any competent person who is at least 18 years old, a resident of Oregon (or the state where service is made), and who is not a party to the case or a party's lawyer, employee, officer, or director)*. Petitioner is imprisoned in the Oregon State Penitentiary

1. I understand that an *Application for Deferral or Waiver of Fees* can defer or waive only one fee at a time except for the sheriff's service fee. I understand that I must complete a separate Application for each fee that I want the court to defer or waive.

2. If fees are not waived, I understand that payment is a debt to the state of Oregon. Additional fees may be added for administrative and collection costs.

3. I understand that if the clerk denies my application I have the right to ask a judge to review my application

4. Any waiver or deferral I am granted during the case may be revoked in full or in part at the end of the case based on the final outcome

## *Declaration*

**1. PERSONAL**

Date of Birth (month/day/ year) ~~April~~ 04/18/1994

*SSN: 647-20-2350 Driver License/State ID: ____________

**I am providing my Social Security number voluntarily. I understand that I cannot be forced to provide it or be denied consideration solely for failure to provide it. It may be used to verify my identification, employment information, and for collection of fees.*

Number of people living in your household: 1

**2. LEGAL AID**

Are you represented in this case by a legal aid attorney?

- ☒ No
- ☐ Yes *(Name)*: ____________

**3. PUBLIC ASSISTANCE**

Check any programs you currently receive assistance from:
*(include the amount you receive PER MONTH)*

- ☐ Food Stamps (SNAP-Supplemental Nutrition Assistance Program) - $____________
- ☐ Supplemental Security Income (SSI) - $ ____________
- ☐ Temporary Assistance to Needy Families (TANF) - $____________
- ☐ Oregon Health Plan (OHP)

➢ Total monthly benefits received:$ 0

*Complete sections 4 – 7 with amounts for all members of your household combined*

**4. EMPLOYMENT AND INCOME**

➢ Total monthly income from all jobs, before taxes are taken out: $ 0

➢ Total monthly income from other sources: $ 0
*(including annuities, settlement income, and any other source of funds or support)*

**TOTAL INCOME FROM ALL SOURCES: $** 0

**5. ASSETS**

Total cash available from all accounts: $ 0 *(cash, checking account, savings, etc.)*

List any assets you have including vehicles, real estate, boats, guns, jewelry, livestock, business interests, etc.:

Value of assets: 0

**TOTAL VALUE OF ALL ASSETS & CASH: $** 0

**6. LIVING EXPENSES** *(per month)*

- Home: $ 0
  *(Rent, mortgage, utilities, cell phone, food)*
- Transportation: $ 0
  *(parking, gas, bus, insurance, vehicle loan payments)*
- Other: $ 0
  *(student loans, day care, court fines, medical, child support, credit cards, etc.)*

**TOTAL MONTHLY LIVING EXPENSES: $** 0

**7. OTHER INFORMATION YOU WANT COURT TO CONSIDER**

Petitioner is currently imprisoned by the Oregon Department of Corrections and was previously homeless

**I hereby declare that the above statements are true to the best of my knowledge and belief. I understand they are made for use as evidence in court and I am subject to penalty for perjury.**

10/5/23
Date

[signature]
Signature

Spencer Joseph Barrett
Name (printed)

O.S.P., 2605 State Street, Salem, OR, 97310 541-760-2183
Contact Address City, State, ZIP Contact Phone

## AFFIDAVIT OF INDIGENCE

I, Spencer Joseph Barrett, being first duly sworn on oath, depose and say: That I make this Affidavit on connection with the herewith attached legal action; that I am financially unable to bear the costs, expenses, and fees incurred herein, including, but not limited to, the filing fee, or to employ suitable counsel. The following is a true and correct statement of my assets and liabilities, to the best of my knowledge and belief:

Net Income during previous twelve months: $ 0

Real property: $ 0

Personal property: $ 0

Other assets: $ 0

Liabilities: $ 0

Dated this 28 day of September, 2023.

Spencer Joseph Barrett
(Signature)

State of Oregon

County of ______________________

Signed and sworn to (or affirmed) before me on ___________, 20___ by _______________

______________________________
Notary Public – State of Oregon

My commission expires: ___________




**UNITED STATES DISTRICT COURT**
**DISTRICT OF OREGON**
**OFFICE OF THE CLERK**
MARK O. HATFIELD UNITED STATES COURTHOUSE
1000 SOUTHWEST THIRD AVENUE
PORTLAND, OR 97204
TEL: 503-326-8000 FAX: 503-326-8010

MELISSA AUBIN
CLERK OF COURT

PAUL BRUCH
CHIEF DEPUTY CLERK

**Date: 9/8/23**
**Subject: Documents received 9/8/23**

Dear *Pro Se* Litigant,

The attached document has been received in our office. The action described is taken for failure to comply with the following Federal Rule(s), Local Rule(s), and/or court order. Only the checked items apply:

☐ **Discovery Material:** LR 5.9(a) instructs that Depositions, Interrogatories, Requests for Production or Inspection, Requests for Documents, Requests for Admission, and Answers and Responses are not to be filed with the court. We are returning your document(s) pursuant to the rule.

☐ **No Case Number/No Case Caption:** The document submitted does not include a case number or case caption.

☒ **No Active Case:** There are no open cases related to the plaintiff/petitioner listed on document.

☐ **Subpoenas Could Not Be Issued:**

☐ **Incorrect Court:** Filing should be directed to a different court.

☐ **Other:**

Sincerely,
D. St.Germain

Deputy Clerk

8/31/2023

~~FILED~~ 8 SEP '23 10:56USDC-ORP

Clerk of Court,

In regards to case No.: 6:23-cv-00738-AR
May I please have a receipt letter confirming:

a) my, Spencer Joseph Barrett's, "Consent to Jurisdiction by a Magistrate Judge and Designation of the Normal Appeal Route", has been recieved

b) BARRETT V. HARROLD, "Petition for Post Conviction Relief", has been received

c) BARRETT V. HARROLD, "Petition for Writ of Habeas Corpus", has been received

d) BARRETT V. HARROLD, "Petition for proceeding as an indigent person and for appointment of counsel", has been received

May I also ask the Court to provide me with a projected timeline and history of documents pertaining to my case, as well as a personal copy of those documents mailed to my current return address at the Oregon Department of Corrections and a copy to be forwarded to my assistant and Mother: Colleen Barrett, 3833 NW Boxwood drive, Corvallis, OR 97330.

Thank you for your time and Consideration

Spencer Joseph Barrett

S.J. Barrett
Global Environmental, Human Rights, Peace Activist
Multimedia Producer & Broadcaster
www.archive.org/details/@endtheschism
YouTube Channel: S.J. Barrett
Facebook page: Conscience Culture
www.archive.org/details/@SJB177

**UNITED STATES DISTRICT COURT**

**DISTRICT OF OREGON**

**SPENCER JOSEPH BARRETT**

Petitioner,

**v.**

**SHERIFF CLIFTON HARROLD**

Respondent.

**Case No.: 6:23–cv–00738–AR**

## Civil Case Assignment Order

**1. Presiding Judge:** The above referenced case has been filed in the Eugene Division of the U.S. District Court for the District of Oregon and assigned to:

**Presiding Judge . . . . . . . . . . . . . . . . . . . . . . . . Hon. Jeffrey J. Armistead**
**Presiding Judge's Suffix Code* . . . . . . . . . . . . . . . . . . . . . . . . . . . . . AR**

***These letters must follow the case number on all future filings.**

**2. Courtroom Deputy Clerk:** Questions about the status or scheduling of this case should be directed to:

Pam Geringer
Telephone: 503–326–8059
Email: pam_geringer@ord.uscourts.gov

**3. Case Administrator/Docket Clerk:** Questions about filings or docket entries in this case should be directed to:

Telephone: 503–326–8050

**4. Place of Filing:** Any paper filings must be submitted to the Clerk of Court, Mark O. Hatfield U.S. Courthouse, 1000 S.W. Third Ave., Portland, OR, 97204. (*See* LR 3–1, LR 5–5.)

**5. District Court Website:** Information about local rules of practice, CM/ECF electronic filing requirements, responsibility to redact personal identifiers from filings, and other related information can be found on the Court's website at ord.uscourts.gov.

**6. Free Legal Assistance for Pro Se Litigants:** Litigants proceeding pro se (without a lawyer) may qualify for free legal assistance from the Oregon Chapter of the Federal Bar Association's Free Federal Law Clinic. To see if you qualify, apply at fedlawclinic.com. Incarcerated persons are not eligible for assistance.

**6. Jurisdictional Authority of Magistrate Judges:**

a. **Pretrial Administration:** Pursuant to LR 72, the assigned United States Magistrate Judge is authorized to conduct all pretrial proceedings contemplated by 28 U.S.C. § 636(b) and Fed. R. Civ. P. 72 without further designation of the Court.

b. **Trial by Consent and Appeal Options:** Pursuant to LR 73, 28 U.S.C. § 636(c), and Fed. R. Civ. P. 73, all United States Magistrate Judges in this district are certified to exercise civil jurisdiction in assigned cases and, with the consent of the parties, enter final orders on dispositive motions, conduct trial, and enter final judgment which may be appealed directly to the Ninth Circuit Court of Appeals (instead of a district judge).

Parties are encouraged to consent to the jurisdiction of a Magistrate Judge by signing and filing the (attached) Consent to Jurisdiction by a United States Magistrate Judge and Designation of the Normal Appeal Route. There will be no adverse consequences if a party elects not to consent to a Magistrate Judge. A Magistrate Judge, however, may be able to resolve a case earlier as they are primarily assigned only to civil cases.

Additional information about United States Magistrate Judges in the District of Oregon is available on the Court's website.

**DATED: May 18, 2023**

**MELISSA AUBIN**
**Clerk of Court**

by: /s/ J. Wall
J. Wall, Deputy Clerk

**U.S. District Court**

**District of Oregon**

## Notice of Electronic Filing

The following transaction was entered on 5/18/2023 at 12:46 PM PDT and filed on 5/18/2023

**Case Name:** Barrett v. Harrold

**Case Number:** 6:23-cv-00738-AR

**Filer:**

**Document Number:** 2

**Docket Text:**

**Notice of Case Assignment:** This case is assigned to Magistrate Judge Jeff Armistead. *(Deposited in outgoing mail to pro se party on 5/18/2023.)* (jw)

**6:23-cv-00738-AR Notice has been electronically mailed to:**

**6:23-cv-00738-AR Notice will not be electronically mailed to:**

Spencer Joseph Barrett
3928942
Lane County Adult Corrections
101 W. 5th Avenue
Eugene OR 97401-2695

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

SPENCER JOSEPH BARRETT — Case No.: 6:23-cv-00738-AR

Petitioner,

v.

SHERIFF CLIFTON HARROLD

Respondent.

Consent to Jurisdiction by Magistrate Judge and Designation of the Normal Appeal Route

Pursuant to Fed. R. Civ. P. 73(b), as counsel for the party identified below, I consent to have a United States Magistrate Judge conduct any and all proceedings in this case, including entry of orders on dispositive motions, trial, and entry of final judgment. I understand that withholding consent from a judgment entered at a Magistrate Judge's direction may be taken to the court of appeals as would any other appeal from a district court judgment

DATED: 8/31/23

Signature: [signature]
Name & OSB ID: Spencer Joseph Barrett
Email Address: endtheschism@gmail.com
Firm Name: OSP
Mailing Address: 2605 State Street
City, State, Zip: Salem, OR, 97320
Parties represented: Petitioner

8/31/2023

Clerk of Court,

In regards to case No: 6:23-CV-00738-AR may I please have a receipt letter confirming:

a) "Consent to jurisdiction..." has been recieved

b) BARRETT v. HARROLD "Petition for Post Conviction..."

c) "Petition for Writ of Habeas"...

d) "Petition for Proceeding as an Indigent Person..."

may I also ask

projected timeline and history of documents pertaining to my case, as well as a personal copy mailled to current return address and a copy to be forwarded to my Assistant and Mother Colleen Barrett

Thank you for your Time & Consideration

[signature]

SJ Barrett
Global Environmental, Human Rights, Peace activist
Multi media...
archive @endtheschism
Youtube
Facebook
archive @SJB177

**IN THE CIRCUIT COURT OF THE STATE OF OREGON**

**FOR THE COUNTY OF** Lane

In the Matter of the Application of

Spencer Joseph Barrett
Petitioner,

vs.

Sheriff Clifton Harrold
(Name of Custodian of Superintendent-Title;
State of Oregon if not imprisoned)
Defendant.

Case No. 19CR17970
(To Be Supplied by Court Clerk)

**PETITIONER'S MOTION TO PROCEED AS AN INDIGENT PERSON AND FOR APPOINTMENT OF COUNSEL**

Pursuant to ORS 138.590, Petitioner respectfully moves this Court to waive the prepayment of the court costs, fees and expenses to this action.

Petitioner further moves for appointment of suitable counsel to assist and represent Petitioner in this proceeding.

This Motion is based upon the attached Affidavit of Financial Eligibilty indicating that Petitioner is without the funds and/or assets necessary to pay the expenses of this proceeding or to retain counsel.

Dated: May 15th, 2023.

Respectfully submitted,

(Petitioner's Signature)

**IN THE CIRCUIT COURT OF THE STATE OF OREGON**

**FOR THE COUNTY OF** Lane

In the Matter of the Application of

Spencer Joseph Barrett
Petitioner,

vs.

(Name of Custodian or Superintendent; State of Oregon if not imprisoned)

Sheriff Clifton Harrold
(Title) Defendant.

Case No. 19CR17970
(To Be Supplied by Court Clerk)

**PETITION FOR POST CONVICTION RELIEF**
(ORS 138.510, et. seq.)

Comes now the above named Petitioner, and respectfully petitions this Court for post conviction relief pursuant to ORS 138.510 - 138.680, and alleges as follows:

1.

Petitioner [ ] is [ ] was imprisoned in the Lane County Jail, Eugene, OR
(Name of Institution, City, County and State)

unlawfully confined and restrained of liberty by the above named Defendent.

2.

Petitioner was imprisoned by virtue of a judgment of conviction and sentence imposed by the Lane County Circuit Court in the case of State of Oregon v. Spencer Joseph Barrett, Case Number 19CR17970. The judgment was entered on 05/09/2023. Sentence was imposed on [TBD] 5/11, 2023. The sentencing judge was Beatrice, and the judgment sentences Petitioner to the

legal and/or physical custody of the Department of Corrections or County Corrections for a period not to exceed: (Number of years/months, minimum sentence(s), restitution, etc.)

48 months

3.

An appeal [X] was [ ] was not taken from said conviction and sentence. The Oregon Court of Appeals or Supreme Court (circle one) entered the appellate judgment on TBD, _____, and the result was TBD.

A petition for review [X] was [ ] was not filed in the Oregon Supreme Court. The result of the petition for review was TBD, and this occured on ________, _____. The attorney of record on the appeal was ________.

4.

Petition [ ] has [X] has not previously applied for post conviction relief pertaining to this case. The result of the previous post conviction relief case was ________

5.

Petitioner was represented by attorney Allison Knight at the trial level proceedings. Said attorney was [ ] retained [X] appointed.

6.

At the present time, petitioner is financially unable to retain counsel.

7.

Petitioner was charged in the foregoing proceedings with the following offenses:

DUI, Assault 3

Petitioner was convicted of the following offenses: DUI, Assault 3

following a [X] jury trial [ ] bench trial [ ] plea of guilty [ ] plea of no contest [ ] other.

(If other, explain) ______.

8.

This Petition is being filed within two years of the date that the judgment was entered (if no appeal was taken) or the date the appellate judgment was entered (if an appeal was taken). (If outside the two-year limit, state why this Petition is nonetheless timely and should be heard.)

______.

9.

Petitioner believes that the conviction and imprisonment from the proceedings described above was, and is, illegal. Petitioner was substantially denied his rights in violation of ORS 138.530 as follows:

FIRST CLAIM FOR RELIEF: ~~$1500/day x 7 months (approx. 210 days)~~

$315,000

SECOND CLAIM FOR RELIEF: ~~$500K~~ for lack of Speedy Trial $500,000

(State additional claims if appropriate) $1,500,000 for lasting/life-long* mental and physical abuse. and irreparable, irreplacable time missed watching my daughter grow up (priceless/non-refundable) ((Inexcusable))

WHEREFORE, Petitioner respectfully asks this Court for an order reversing said conviction(s) and sentence(s), expunging the records of Petitioner's arrest and conviction, releasing Petitioner from the custody of the Defendant, and for such further relief as this Court deems just and proper.

Dated: May 15th, 2023.

Respectfully submitted.

Spencer Joseph Barrett
(Sign Full Name)

3833 NW BOXWOOD DRIVE
CORVALLIS, OR 97330
(Address)

**VERIFICATION**

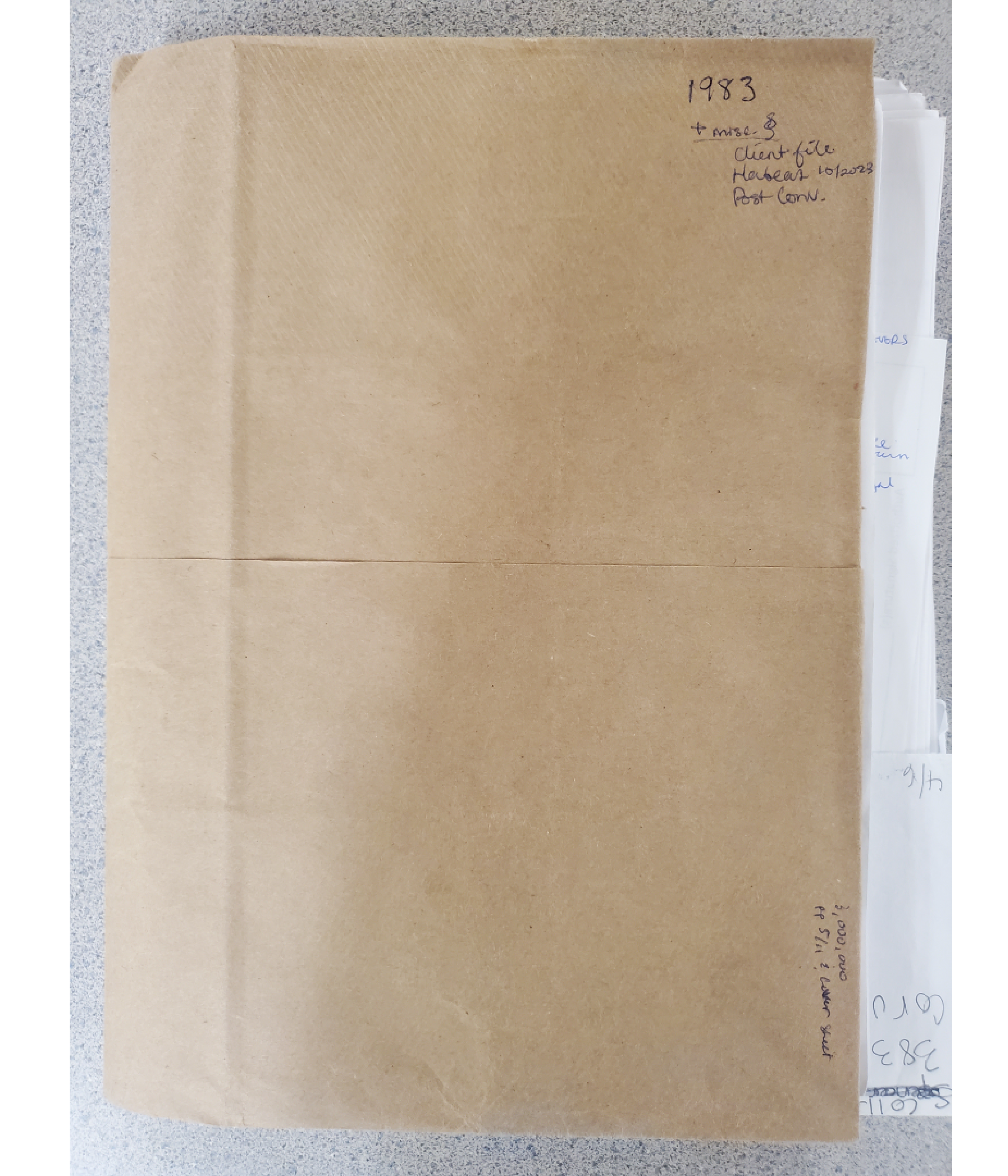
OF OREGON )
) SS.
County Of Lane )

I, the Petitioner in the foregoing Petition For Post Conviction Relief, state under oath, that I have read and know the content of the Petition, and I declare or verify under penalty of perjury that the facts set forth are true and correct to the best of my knowledge and belief and that all of the documents and exhibits included in, or attached to, the Petition are authentic to the best of my knowledge and belief.

[signature]
(Signature of Petitioner)

SUBSCRIBED and sworn to before me this 15th day of May, 2023.

Notary Public for Oregon
My Commission Expires: ______


1983
+ misc. §
Client file
Harbeat 10/2023
Post Conv.

VENUE - THERE IS NO CONSTITUTIONAL OR STATUTORY AUTHORITY FOR A CIRCUIT COURT TO EXIST SINCE THE OREGON CONSTITUTION WAS AMENDED IN AD 1910. THE ORS. DOES NOT APPLY TO LIVING MEN, WOMEN OR CHILDREN, ONLY CORPORATIONS TRUSTS OR PARTNERSHIPS. MIRANDA V. ARIZONA 1966 SAYS THE ORS CANNOT NULLIFY CONSTITUTIONAL AUTHORITY, NORTON V SHELBY CO. TENN 1886 SAYS DE FACTO OFFICE DOES NOT EXIST IF AUTHORITY CANNOT BE PROVEN. THE OREGON STATEWIDE JURAL ASSEMBLY (ORSJA.ORG) IS THE LAWFUL COMMON LAW COURT OF RECORD (SUPERIOR COURT) THE ONLY DE JURE COURT IN OREGON, AND WE ABOLISHED THE ENTIRE JUDICIARY ON OREGON LAST OCTOBER '22, DOWNLOAD + SIGN THEIR LIVING TESTIMONY IN THE FORM OF AN AFFIDAVIT OF TRUTH (LTA) TO GET BACK TO THE LAND JURISDICTION. ASSUMING THE CIRCUIT COURT EXISTS AT ALL, JURISDICTION CAN BE CHALLENGED AT ANY TIME, BEFORE DURING OR AFTER, AND SINCE THEY ARE A MARITIME ADMIRALTY COURT, WITH ELEMENTS OF ROMAN CANON LAW AND MERCHANT LAW FORMS THEY ONLY HAVE COGNIZANCE OVER SHIPPING, NAVIGATION, CARGO + PIRACY - NOT ANY SUBJECT MATTER JURISDICTION OVER EVENTS THAT HAPPEN ON DRY LAND, ONLY ON THE HIGH SEAS OR NAVIGABLE WATERWAYS. THEY ALSO ONLY WOULD HAVE JURISDICTION OVER CORPORATIONS, TRUSTS OR PARTNERSHIPS, NOT LIVING MEN WOMEN OR CHILDREN - THAT IS WHY THEY USE YOUR ALL-CAPS NAME, (AN ENS LEGIS ARTIFICIAL CREATION) SO THEY CAN INTERFACE WITH US. WHAT I THINK THEY ARE REALLY AFTER IS OUR CQV (CESTUI QUE VIE - "HE WHO LIVES" [SETTY KAY] CUSIP AUTOTRIS ACCOUNTS - OUR BIRTH CERTIFICATE AND "SOCIAL SECURITY" ACCOUNTS - TO "PAY" OR "DISCHARGE" THEIR COMMERCIAL CHARGES. I WROTE UP AN OFFER OF SUBSTITUTED PERFORMANCE BASED ON MY B.CERT. AND THEY IGNORED IT - LIKE ALL MY OTHER DOC.S IN AFFIDAVIT FORM, EVEN THOUGH AN UNREBUTTED AFFIDAVIT IN A SIMILAR FORMAT (NOTARIZED AND MAILED (CERTIFIED OR EVEN REGISTERED)) IN THE PROPER TIME FRAME OF 14 CALENDAR DAYS, ON A POINT-BY-POINT BASIS CITING MATERIAL FACTS AND CONCLUSIONS OF LAW, WHICH STAND AS TRUTH IN COMMERCE (AS THEY ARE ENGAGING IN COMMERCE, AS A PRIVATE, FOREIGN, FOR-PROFIT TRIBUNAL) NOT A LAWFUL COURT OF RECORD.

THEN, IN ORDER TO HAVE ANY OFFICE AT ALL, THEY MUST HAVE ALL THE FOLLOWING - A VALID OATH OF OFFICE WITH NO ALL-CAPS NAMES, NO MIDDLE INITIALS, NO ALL-CAPS CONSTITUTIONS, NO ALL CAPS "STATE OF OREGON" MUST HAVE ANNO DOMINI OR A.D. IN THE DATES, CANNOT BE SIGNED BY A "CIRCUIT COURT" JUDGE AS THERE IS NO CIRCUIT COURT, MUST BE A LEGIBLE SIGNATURE OR A PRINTED NAME OF THE WITNESS. AND MUST HAVE A VALID SEAL - ONLY "Circuit Court, County of ____, State of Oregon" (7 WORDS ONLY - NO ALL-CAPS) NOT A SINGLE DOCUMENT I RECEIVED HAD ANY SEALS ON THEM (OVER 40) EXCEPT ONE, AND IT WAS FAKE - A "COMMON" SEAL, AND IN ALL CAPS TOO. AS PER STARKEY V LUNZ 1910, IN THE SUPREME COURT FOR OREGON, A COURT DOCUMENT WITHOUT A VALID SEAL, CARRIES THE FORCE + EFFECT OF A BLANK PIECE OF PAPER AND IS ~~OF~~ ~~NO~~ VOID FROM THE BEGINNING. THEY ARE ALSO REQUIRED TO HAVE AND SHOW YOU A PERFORMANCE + FIDELITY BOND, SO YOU CAN SEE WHO WILL INDEMNIFY YOU FOR THE MASSIVE DAMAGES YOU HAVE INCURRED BOTH COMPENSATORY AND EXEMPLARY (PUNITIVE). MINE ~~AS~~ STARTED AROUND $6 million AND QUICKLY BALLOONED TO OVER $324 M, PAYABLE IN GOLD + SILVER AMERICAN EAGLE COINS. THE LAST LAWFUL DEFINITION OF MONEY WAS A PRE 1933 (0.917 PURITY) MORGAN SILVER DOLLAR. THE FEDERAL RESERVE NOTE IS NOT LAWFUL MONEY, IT IS A "LEGAL TENDER" - TENDERED IN LIEU OF SILVER COIN. IT IS A CORPORATE DEBT OBLIGATION AND REALLY A GAMBLE ON FUTURE RECEIPT OF SILVER COIN AND REQUIRES A FILING WITH THE IRS FOR A GAMBLING TRANSACTION. - I FORGOT THE #

THE CLEARFIELD DOCTRINE SAYS A PUBLIC OFFICIAL THAT DEMANDS THE USE OF F.R.N.'S DESCENDS TO THE LEVEL OF A MERE CITIZEN AND CAN BE HELD LIABLE W/NO IMMUNITY. THEY MAY ALSO HAVE BID, APPEARANCE + SURETY BOND TO MAKE THEM MORE FAKE MONEY IF YOU DON'T "APPEAR" WHICH AN ARTIFICIAL ENTITY CANNOT POSSIBLY DO. THEY TURN US INTO SURETIES TO TRADE ON GLOBAL MARKET W/OUT OUR KNOWLEDGE OR CONSENT.

SINCE THE JUDGES AND D.A.'S ARE SHOWN TO HAVE BAR #'S ON FILE AT THE OSBAR.ORG WEBSITE, THEY ARE REQUIRED TO REVEAL THEIR LICENSES TO PRACTICE "LAW", AND 7 OF THEM DID NOT SHOW ANYTHING. I ALSO FILED A FREEDOM OF INFORMATION ACT REQUEST WITH THE DOJ FOR THEIR FOREIGN AGENT REGISTRATIONS, AND THEY FOUND NONE - ANOTHER FELONY. THEY ARE BASED ON CONTRACT LAW OR THE SEA, AND MUST HAVE A VALID CONTRACT WITH US WHICH HAVE REQUIREMENTS - THEIR MUST BE A MEETING OF THE MINDS, AND CORPS DO NOT HAVE A MIND TO MEET, THERE CAN BE NO PARTY WITH UNDUE INFLUENCE (WHICH THEY ARE ARMED). THERE MUST BE FULL DISCLOSURE (WHICH THERE WASN'T), LAWFUL CONSIDERATION (FRN'S ARE NOT) (NOR IS YOUR FREEDOM) LAWFUL TERMS + CONDITIONS (NONE) CONSCIONABILITY (REGARDING ANYTHING YOU WOULD NOT ORDINARILY AGREE TO) AND TWO BLUE-LINE SIGNATURES (OR YOURS IN RED INK, SINCE YOU ARE LIVING), ALSO THERE MUST BE FREE AND INFORMED CONSENT - WITHOUT ANY FRAUD OR DURESS - WHICH ARE RAMPANT. THEY WERE ALSO REQUIRED TO REVEAL THE NATURE + CAUSE OF THEIR CHARGES (NATURE BEING IN COMMON LAW OR ADMINISTRATIVE LAW [THEY USUALLY SAY STATUTORY JURISDICTION WHICH IS FALSE)] [CAUSE - NOT SURE FORGOT] [PROBABLY COMMON LAW CAUSE FOR ACTION - USUALLY FOR DAMAGES OR INJURY]. THEY ALSO DID NOT PROPERLY SERVE ME ANY OF THE 40 OR SO DOC'S - WHICH NEEDED TO BE HANDED TO ME BY A DEPUTY OR PROCESS SERVER, OR MAILED VIA CERTIFIED MAIL W/A RED LABEL. THEY ALSO USED FICTITIOUS NAMES (MY ALL-CAPS NAME) AND FICTITIOUS ADDRESSES (NO C/O [CARE OF] "OR" INSTEAD OF OREGON AND A ZIP CODE (FEDERAL ZONE IMPROVEMENT PROJECT) ATTEMPTING TO CREATE A LEGAL DISABILITY AND ENTICE ME INTO A FOREIGN JURISDICTION. I AM David-Anthony: [FAMILY: Colas] AND I LIVE AT (NOT RESIDE OR A RESIDENT OF) C/O 1234 ANY STREET, EUGENE (OR) OREGON →

CONTINUED/ [NEAR OR: 97408] U.S of A. AND NO OTHER ADDRESS, ALSO MORE FELONY COUNTS. IN A COMMON LAW COURT THEY ARE REQUIRED TO PRESENT YOU A VERIFIED (NOTARIZED OR WITNESSED) CLAIM BY A LIVING MAN OR WOMAN FOR WHICH RELIEF CAN BE GRANTED, BUT THEY ARE NOT COMMON LAW. SINCE 1933, AS PER A BANKRUPTCY ACT AND A TRADING W/THE ENEMY ACT, ALL OUR NON-FRIVOLOUS DEBTS WERE TO BE PRE-PAID, AND WE WERE SUPPOSED TO BE ABLE TO SIGN A PRESENTMENT OR CLAIM "ACCEPTANCE FOR TRUST AUTHORIZED PAYMENT" "FOR DAVID ANTHONY COLAGE - VESSEL" "BY David-Anthony: Cologe - EXECUTOR" "PLEASE MOVE ALL ACCOUNT BALANCES TO ZERO" AND THEY, OR ALL TAXES, WERE PAID, OR DISCHARGED. I HAVE ALSO LEARNED THAT ANY INVOICE THAT DOESN'T INCLUDE A CHECK TO PAY FOR IT, IS ALSO AGAINST THE LAW, BUT I FORGOT WHICH, AND SHOULD BE REPORTED TO THE IRS. THE SAME WITH JUDGES NOT FILING THEIR GAMBLING FORMS. WHEN TROUBLE FIRST STARTED AT MY HOUSE, I FILED MY LTA WITH THE ASSEMBLY TO GET OUT OF THE SEA JURISDICTION, AND BECOME AN AMERICAN AGAIN, SO AT MY ARRAIGNMENT I SAID, "I AM A LIVING MAN ON THE LAND AND SOIL OF OREGON AND I DO NOT CONSENT TO YOUR MARITIME-ADMIRALTY JURISDICTION, AND I WAIVE THE BENEFITS OF YOUR OFFICE AND PROTECTIVE BUSINESS SERVICES, I DO NOT CROSS YOUR BAR, AND I DO NOT WAIVE MY LAWFUL VENUE, THE DE JURE COMMON LAW COURT OF RECORD - THE OREGON STATEWIDE JURAL ASSEMBLY"! THEN I ATTACKED THEIR FLAGS, WHICH ARE FOREIGN CORPORATE (US - NOT USOFA) FLAGS WITH A GOLD FRINGE OF OPEN WARFARE AND MILITARY-GRADE TROOPS - THE DEPUTIES. MY LATER STATEMENTS IN OPEN (BUT FAKE) COURT WERE MUCH LONGER. NOBODY CARED ABOUT ANY OF IT - ON PURPOSE - IGNORANCE OF THE LAW IS NO EXCUSE, BUT IGNORING THE LAW IS MANY FELONY COUNTS

SO, HERE IS MY LONGER STATEMENT; I, David Anthony:,
OF THE FAMILY COLAGE, MIXED CASE, THE LIVE CHRISTIAN
MAN ON THE LAND JURISDICTION OF THE GEOGRAPHICAL REPUBLIC
OREGON STATE, AM THE EXECUTOR, ADMINISTRATOR AND SOLE
BENEFICIARY OF THE ENS LEGIS DAVID ANTHONY COLAGE ALL-
CAPS COPY RIGHT ESTATE, A CONSTITUENT MEMBER OF
THE AMERICAN BODY SOVEREIGN, ONE OF THE PEOPLE, TO WHOM
YOU OWE ALLEGIANCE. AS PER ARTICLE 1 SECTION 1 OF THE DE
JURE, ORGANIC OREGON CONSTITUTION, AS ADOPTED BY THE
PEOPLE IN A.D. 1857, I DO HAVE AND RETAIN ALL INHERENT
POWER, INCLUDING THE POWER TO ALTER, REFORM OR ABOLISH
ANY AND ALL LEVELS OF GOVERNMENT AS I SEE FIT, FOR THE
PURPOSES OF MAINTAINING THE PEACE AND TRANQUILITY FOR
OURSELVES AND OUR POSTERITY AS WOULD BE DISRUPTED OR
DESTROYED BY SUBVERSIVES, INSURRECTIONISTS, OR FOREIGN
OR DOMESTIC ENEMIES. I AM AT PEACE AND I STAND ON
MY RIGHTS TO DUE PROCESS AND EQUALITY UNDER THE LAW,
AND I RETAIN ALL MY INHERENT, IN-ALIENABLE, GUARANTEED
AND ENUMERATED NATURAL, COMMON AND CONSTITUTIONAL
LAW RIGHTS, PRIVILEGES & IMMUNITIES AS GIVEN TO ME BY
OUR FOUNDING FATHERS AND MY ALMIGHTY CREATOR GOD OF
THE UNIVERSE. I DO NOT CONSENT TO THIS FOREIGN, MARITIME-
ADMIRALTY, ROMAN CANON, MERCHANT LAW FORM OF THIS
PRIVATE, FOREIGN, FOR-PROFIT TRIBUNAL, UNLAWFULLY
MASQUERADING AS A LAWFUL "CIRCUIT COURT" THAT HAS NO
CONSTITUTIONAL OR STATUTORY AUTHORITY TO EXIST SINCE
THE ORIGINAL OREGON CONSTITUTION WAS AMENDED IN
AD 1910 AND NO LEGISLATIVE ENACTMENT WAS CODIFIED TO
PROVIDE FOR A CIRCUIT COURT TO EXIST EVER SINCE. I DO NOT
WISH TO CONTRACT WITH THIS RACKETEERING ENTERPRISE,
NOR CAN I BE LAWFULLY ENTICED OR COMPELLED BY FRAUD
OR FORCE OF ARMS TO ASSOCIATE WITH BLATANTLY CRIMINAL
ACTIVITY. I ALSO WAIVE ANY SUPPOSED BENEFITS OF THIS
PRIVATE, FOREIGN, FOR-PROFIT COMMERCIAL OPERATION, BUT DO
NOT WAIVE MY LAWFUL VENUE AND JURISDICTION, THE

ARTICLE 3 AMENDMENT 7, DE JURE. COMMON LAW SUPERIOR
COURT OF RECORD, THE OREGON STATEWIDE JURAL ASSEMBLY,
(CURRENTLY IN SESSION IN THIS ROOM). I AM NOT AN INCOMP-
ETENT, LUNATIC, PAUPER, EMPLOYEE, CITIZEN, RESIDENT,
WARD, CHILD, LOST AT SEA, OR ~~WARD~~ SLAVE OF THE CORPORATE
STATE, AND AM WITHOUT DEBT, BONDAGE, CONTRACT OR
SUFFRAGE (VOTING) UNDER THE CITY, COUNTY, STATE OR
FEDERAL ENS LEGIS CORPORATE ENTITIES ENGAGED IN COMMERCE
WITH DUN+BRADSTREET NUMBERS ON FILE. | I DO NOT WILLINGLY
"APPEAR", BUT HAVE BEEN FORCED TO UNDER THE DURESS AND
FRAUD OF UNLAWFUL FORCE OR ARMS, AMOUNTING TO TRES-
PASS VIET ARMIS (FORCE OF ARMS) UNDER COLOR OF LAW AND
OFFICIAL RIGHT OF AN UN-AUTHORIZED VENUE. | I HAVE
NEVER RE-PRESENTED MYSELF AS "PRO SE", BUT IN PROPRIA
PERSONA WHILE SYSTEMATICALLY BEING DENIED MY GUARAN-
TEED 6TH AMENDMENT RIGHT TO UNFETTERED ASSISTANCE OF
COUNSEL, AND AS JURRA SUMMA IMPERII (HAVING RIGHTS OR
ABILITY TO GOVERN MY OWN DOMINIONS) AS A SOVEREIGN [KING]).
I HAVE NEVER ENTERED ANY PLEAS BUT THE ~~JUDGE~~ "PUTATIVE
"JUDGE" _____ IS SUSPECTED TO HAVE UNLAWFULLY ENTERED
PLEAS FOR ME, TO ATTEMPT TO MANUFACTURE CONSENT
WHERE CONSENT WAS PURPOSEFULLY NOT GIVEN, NOR HAVE
I MADE ANY PRAYERS OR WILLINGLY CROSSED ANY BARS.
I AM A LIVING FLESH, BLOOD, MIND, BODY, SOUL, SPIRIT, CHRISTIAN
MAN, A CONSTITUENT MEMBER OF THE AMERICAN BODY SOVEREIGN,
ONE OF THE PEOPLE, NOT THE ENS LEGIS, ALL CAPS ARTIFICIAL
CREATION THE CORPORATE STATE MADE UP, IN ORDER TO
CREATE A LEGAL DISABILITY FOR ME AND FORCE ME INTO A
FOREIGN JURISDICTION AND NON-EXISTANT VENUE. | MY FLESH
LIVES MY BLOOD FLOWS AND NOTHING STANDS BETWEEN
ME AND MY ALMIGHTY CREATOR GOD OR THE UNIVERSE.

[THEY DIDN'T GIVE A SHIT ABOUT ANY OF THIS EITHER]

SO, LAST YEAR I STARTED FILING VARIOUS DEMANDS AND MOTIONS
AGAIN WITH NO RESPONSES, THEN FOUND A GREAT ~~LAWER~~ LAWYER WHO IS
CORRECTLY A JURIS CONSULT, AND HE HELPED ME PUT TOGETHER SOME
AFFIDAVITS, WHICH FORMAT IS REQUIRED FOR TRUTH IN COMMERCE,
THAT HAVE TO BE CONSTRUCTED IN SUCH A WAY THAT THEY CAN'T ANSWER
AT ALL OR THEY ADMIT TO ALL THE POINTS IN IT OR THEY HAVE TO
DISMISS, OR IT IS DISMISSED BY ITSELF, OR ACTS AS ESTOPPLE
AGAINST ANY FURTHER PROCESS. ONE WAS A SILVER SURETY BOND,
MADE UP OF 21, PRE-1933 (0.917 PURITY) MORGAN SILVER DOLLARS,
BASED ON THE UNIFORM COMMERCIAL CODES/THE SILVER COSTING ONLY
$700 OR SO, TO DISCHARGE THE DEBT FROM THE CHARGES. THEY
SENT ME A 1-LINER SAYING IT WAS DENIED. I ALSO SENT A
FORMAL CHALLENGE TO THEIR JURISDICTION, A FRAUD UPON THE COURT
DOC AND EVEN A COMMON LAW DEMURRER, CHALLENGING ALL OF
THEIR PROCESS, AND THEY SIMPLY DENIED THAT TOO. SOME OF
THESE DOCS INCLUDED AN AFFIDAVIT OF TRUTH THAT HAD STATEMENTS
LIKE "I HAVE SEEN NO EVIDENCE AND BELIEVE NONE EXISTS THAT
THIS COURT HAS ANY PROOF OF CONSTITUTIONAL OR STATUTORY AUTH.
TO EXIST AT ALL SINCE A.D. 1910" ETC, AND ALL OF THEM WERE
IGNORED ALSO. I ALSO MADE DOCS PAYING THE DEBTS WITH
MY CUSIP (BIRTH CERT) AND AUTOTRIS (SOCIAL SEC) PRIVATE
EXEMPTION ACCOUNTS AND THEY IGNORED THEM ALSO. I THINK THEY
KNOW I AM THE MOST DANGEROUS MAN THEY HAVE TRIED IN A LONG
TIME, AND THAT IS WHY THEY FAILED (PURPOSEFULLY) TO MAIL
ME A "NOTICE TO RETURN TO COURT" EVEN THOUGH I RESCINDED
MY SECURITY RELEASE AGREEMENTS FOR FRAUD + MORE, TWICE
WHICH WERE THE ONLY DOCS SAYING I HAD TO "APPEAR". WELL,
WE WROTE UP A CRIMINAL COMPLAINT FOR ABOUT 21 OF THEM
AND MAILED IT REGISTERED TO THE US DISTRICT COURT FOR
OREGON - A MILITARY COURT, WHICH THE CIRCUIT COURT IS AN
~~IMPOSTOR~~ IMPOSTOR MILITARY COURT WHICH IS SUBJECT TO THE
FEDERAL CODES, RULES + STATUTES, THE UNIFORM COMMERCIAL
CODE AND THE UNIFORM CODE OF MILITARY JUSTICE (UCMJ)
WITH COPIES TO THE NAVY JAG (JUDGE ADVOCATE GENERAL) ~~AND~~
DARSE E. CRANDAL, JR AND ERIC M. SMITH OF THE USMC
(WASHINGTON NAVY YARD) (AT THE PENTAGON)

WHICH INCLUDED THE COMMON LAW DEMURRER AND ALL THE

FOLLOWING CHARGES: FALSE IMPERSONATION OF OFFICER OR EMPLOYEE OF U.S.

DEPRIVATION OF RIGHTS UNDER COLOR OF OFFICE

VIOLENT CRIME IN AID OF RACKETEERING

EXTORTION UNDER COLOR OF OFFICIAL RIGHT

CONSPIRACY AGAINST RIGHTS

FAILURE TO REGISTER AS FOREIGN AGENTS (BRITISH)

FAILURE TO REVEAL PERFORMANCE + FIDELITY BONDS

FAILURE TO MAINTAIN VALID OATHS OF OFFICE

FAILURE TO AFFIX REQUIRED COURT SEALS (STARKEY V LUNZ 1910 LAW)

FAILURE TO REVEAL LICENSES TO PRACTICE LAW

FRAUD –
MAIL FRAUD
BANK FRAUD
WIRE FRAUD
TAX FRAUD
TRUST "
CONTRACT "
CONSTRUCTIVE FRAUD

FAILURE TO PROVIDE UNFETTERED ASSISTANCE OF (NON-BAR) COUNSEL – [GIVES LOSS OF JURISDICTION + AUTOMATIC REVERSAL OF CONVICTION, WHICH CANNOT BE UNSCRAMBLED (CORDOVA V BACA ET AL 2003 9TH CIRCUIT)]

FAILURE TO PROVIDE DUE PROCESS OF LAW

FAILURE TO OBSERVE EQUALITY OF RIGHTS UNDER LAW

FICTITIOUS NAMES + FICTITIOUS ADDRESSES

BENEFITTING IN PEONAGE OR SLAVERY IN TRAFFICKING IN PERSONS

INTERFERENCE ~~MIXED~~ STATE + FEDERAL LAW

ENGAGING IN MONETARY TRANSACTIONS IN PROPERTY DERIVED FROM SPECIFIED UNLAWFUL ACTIVITIES

ILLEGAL RESTRAINT OF AND MONOPOLIZING TRADE

FALSE DECLARATIONS BEFORE GRAND JURY

FRAUDULENTLY ENGAGING IN SECURITIZATION OF ? INTELLECTUAL PROPERTY

VIOLATION OF FOREIGN CORRUPT PRACTICES ACT

" OF THE PROHIBITED ACTIVITIES STATUTE

" " VINDICATION OF COMMON LAW RIGHTS STATUTE

SEDITIOUS CONSPIRACY, ENGAGING IN REBELLION OR INSURRECTION

ADVOCATING OVERTHROW OF GOVERNMENT

MISPRISION OF FELONY, MISPRISION OF TREASON

TRESSPASS, TRESPASS ON THE CASE, TRESSPASS VIET ARMIS

DOMESTIC TERRORISM + CAPITAL TREASON. [WE MAY ALSO BE ADDING, RECKLESS ENDANGERMENT, TITLES OF NOBILITY VIOLATIONS, FALSE ARREST, FALSE IMPRISONMENT, KIDNAPPING JURY TAMPERING, FALSE WITNESS, GRAND LARCENY AND BRADY RULE DISCOVERY VIOLATIONS DENYING ME EXONERATING + EXCULPATORY EVIDENCE + WITNESSES.

THESE PEOPLE, INCLUDING ALMOST ALL COPS + DEPUTIES ARE EXACTLY THE SAME AS THE BIBLICAL PHARISEES - MONEY-CHANGERS, BUYING AND SELLING ANIMALS (HUMANS) IN THE TEMPLE (OF JUSTICE) FOR FAKE MONEY (FRN'S), GUARDED BY ROMAN SOLDIERS, WHO CAN'T RECITE THE ONLY SENTENCE IN ARTICLE 1 SECTION ONE OF THE CONSTITUTION THEY TOOK AN OATH TO - "ALL POWER IS INHERENT IN THE PEOPLE AND THEY HAVE A RIGHT TO ALTER, REFORM OR ABOLISH AS THEY SEE FIT AT ANY TIME," AS IN ALMOST ALL STATES. THE PROBLEM IS HOW THESE CRIMINALS DEFINE "THEY", AS BEING 51% OF THE UN-INFORMED PEOPLE VOTING IN RIGGED ELECTIONS IN A DEMO-CRACY (MOB RULE) NOT IN A REPUBLIC WHERE THE 1% COULD NOT HAVE THEIR RIGHTS TAKEN AWAY BY 99%. SOVEREIGNTY RESIDES IN THE PEOPLE (NOT IN ANY CORPORATION) - (CHISHOLM V GEORGIA 1793) CORPORATIONS CANNOT BE SOVEREIGN GOVERNMENTS NOR INJURED PARTIES. THE IRS CANNOT NULLIFY CONST. AUTHORITY - MIRANDA V ARIZONA 1966

I WOULD BE HAPPY TO FACE MY ACCUSERS IN A COMMON LAW COURT WHERE I WOULD HAVE A JURY OF MY PEERS - AMERICANS NOT U.S. CITIZENS, PEOPLE NOT PERSONS, WHO KNOW THE DIFFERENCE BETWEEN LAWS AND STATUTES AND WHO OR WHAT THEY APPLY TO, PROPER ACCESS TO DISCOVERY + WITNESSES, DUE PROCESS, EQUALITY UNDER THE LAW, AND WITHOUT A MONETARY INCENTIVE, CONFLICTS OF INTEREST, DUAL LOYALTIES OR UNDUE INFLUENCE. THIS ENTIRE PROCESS, FROM MY ORIGINAL FALSE ARREST TO MY FALSE CONVICTION WAS A TOTAL SHAM, HOAX + CHARADE... PURE THEATER, AS A RACKETEERING ENTERPRISE, 20 UNREBUTTED AND ACQUIESCED TO AFFIDAVITS, 40 IMPROPERLY SERVED DOCS, WITH ONLY 1 SEAL, AND IT WAS FAKE, NO OATHS, BONDS, LICENSES, REGISTRATIONS OR ANY OTHER BONA FIDE REQUIREMENT, INCLUDING NO JURIS-DICTION OR EVEN AN AUTHORIZED VENUE. I AM HOPING MY JURIS CONSULT WILL GET THIS REVERSED SOON, SO I CAN PROSECUTE 24 OF THESE TRAITORS AND GET ALL CIRCUIT COURT CASES VACATED. MAKE SURE TO GET ME YOUR CONTACT INFO ON THE OUTSIDE SO I CAN DO WHAT I CAN FOR YOU. PAGE 9

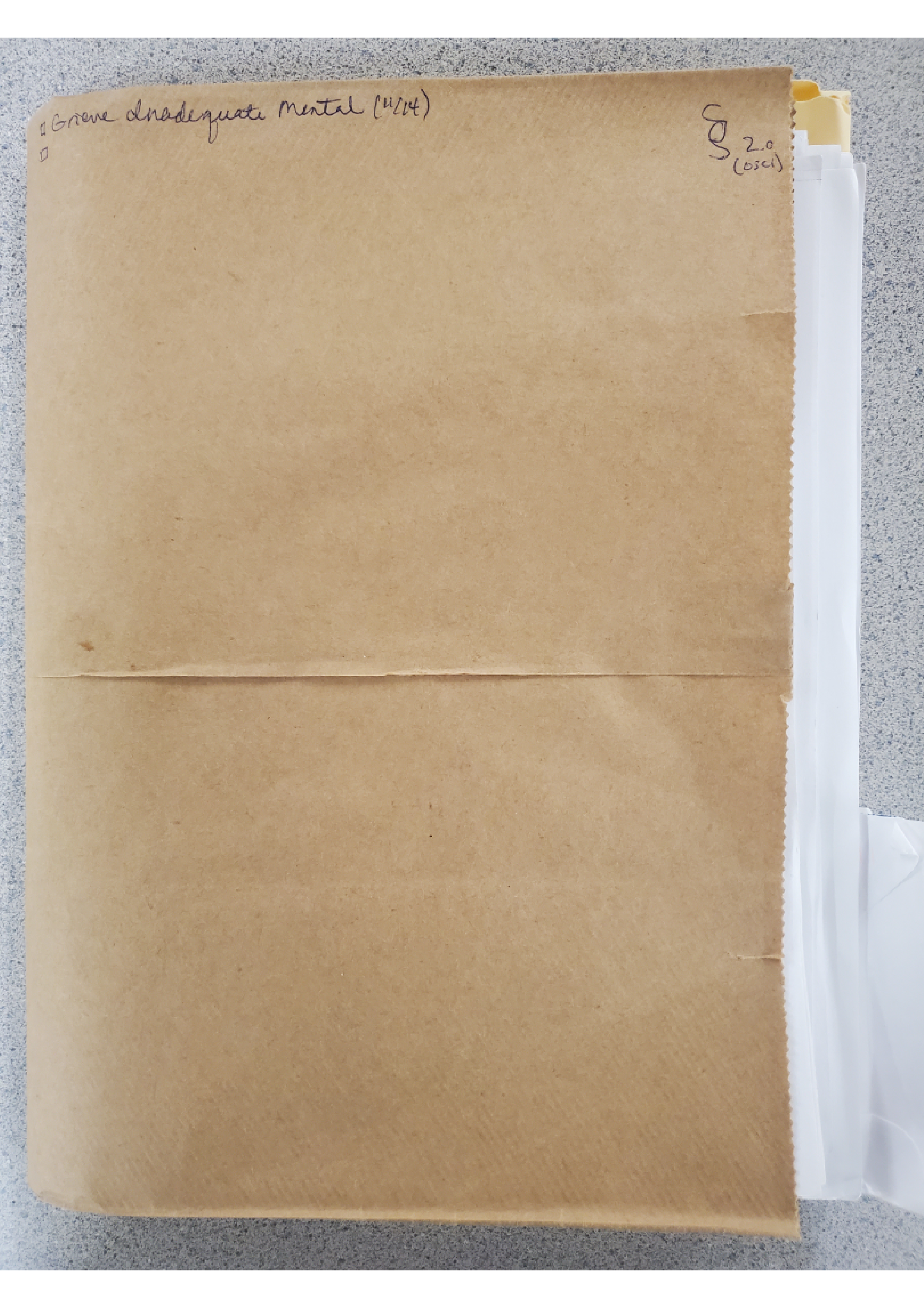
I HAVE HEARD YOU CAN CHALLENGE JURISDICTION AT ANY TIME - BEFORE DURING + AFTER - BOTH IN PERSONAM + SUBJECT MATTER.

HAVE SOMEONE PULL YOUR "JUDGES" AND DA'S OATHS OF OFFICE, AND LOOK FOR A SEAL THAT ONLY SAYS CIRCUIT COURT, ——— COUNTY, STATE OF OREGON" ALL IN MIXED CASE ONLY, WITH ONLY THOSE 7 WORDS. CHECK THE DOJ WITH A FOIA REQUEST FOR FOREIGN AGENT REGISTRATIONS WITH THEIR BAR #'S FROM THE OSBAR ~~WEBSIGHT~~ WEBSITE. THEY NEEDED TO HAVE TOLD YOU THE NATURE + CAUSE OF THEIR CHARGES + THAT YOU COULD HAVE CHALLENGED THE SUFFICIENCY OF THEIR CHARGES INSTEAD OF ENTERING A PLEA.

THERE MUST NOT BE ANY ALL CAPS NAMES, NO MIDDLE INITIALS OR CIRCUIT CT JUDGES AS WITNESSES OR THEY ARE INVALID

ALL THEIR DOCS NEEDED A VALID SEAL OR THEY ARE OF NO FORCE OR EFFECT FROM THE BEGINNING. FRAUD VITIATES EVERYTHING IT TOUCHES, SAME W/ ~~[illegible]~~ ~~OR~~ DURESS. COPS ONLY HAVE JURISDICTION OVER EMPLOYEES OF THE CITY, AND COURTS CANNOT PRESUME CONSENT OR CONTRACT. YOU NEEDED TO CHALLENGE THE "COURTS" 12 UNLAWFUL PRESUMPTIONS WHICH CAN BE FOUND ON THE WEB. MOST AMAZINGLY, THEY DONT EVEN HAVE A VENUE - SINCE 1910! THAT IS PURE TREASON AND ALL THOSE OTHER FEDERAL CRIMES TOO. WE ALSO FILED A JUDICIAL COMPLAINT W/THE OSBAR HEAD LADY AND A QUO WARRANTO WITH OUR SHERRIFF + THE TOP JUDGE AT THE SUPREME COURT. THERE WAS ALSO A WRIT OF HABEAS CORPUS AD SUBJECIENDUM WITH THE SHERIFF, AND ONE DOC WAS FILED RECENTLY HE WOULDN'T TELL ME ABOUT OVER THE JAIL PHONE. I AM HOPING SOME, ALL, OR EVEN JUST ONE OF THESE WILL DO THE TRICK. IT IS A WELL ENTRENCHED RACKETEERING OPERATION THAT HAS BEEN HERE FOR WELL OVER A HUNDRED YEARS AND MUST BE VERY VALUABLE. THERE WAS AN EXCELLENT MONOLOGUE FROM THE NEW STAR WARS "ANDOR" THAT BASICALLY SAID THE EMPIRES AUTHORITY WAS SO UNNATURAL IT WAS BRITTLE, AND IT COULD OVERFLOW AT ANY MINUTE, AND THAT WE COULD NOT SEE ANY OTHERS IN THE FIGHT, BUT WE SHOULD "REMEMBER THIS" NEVER QUIT AND JUST KEEP TRYING. DAVE COLAGE 541-505-2897

 MIAMI DAVES @ PROTONMAIL.COM


□ Grave Inadequate Mental (11/04)
□
§ 2.0
(OSCI)

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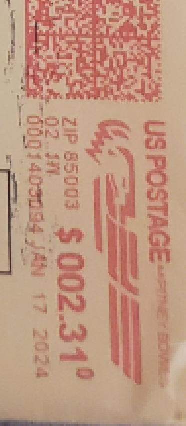
Clerk of the Superior Court
Maricopa County
201 W. Jefferson
Phoenix, Arizona 85003

**RETURN SERVICE REQUESTED**

SG133
22418875
Barrett, Spencer Jos
OSP

Was not opened in my presence, delivered 1/22 ~2 pm

FIRST CLASS



COPY

OCT 25 2023

CLERK OF THE SUPERIOR COURT

DEPUTY CLERK

C. Rico

Person Filing: McKenna Lyn Barrett
Address (if not protected): 11204 East Pronghorn Ave.
City, State, Zip Code: Mesa, AZ 85212
Telephone: 602-430-6465
Email Address: mcazbly@gmail.com
ATLAS Number:
Lawyer's Bar Number:

Representing ☒ Self, without a Lawyer or ☐ Attorney for ☐ Petitioner OR ☐ Respondent

# SUPERIOR COURT OF ARIZONA
# IN MARICOPA COUNTY

McKenna Lyn Barrett
Name of Petitioner / Party A

And

Spencer Joseph Barrett
Name of Respondent / Party B

Case No.: FC2023-094519

## SUMMONS

If you would like legal advice from a lawyer, Contact the Lawyer Referral Service at 602-257-4434 or www.maricopalawyers.org Sponsored by the Maricopa County Bar Association

**WARNING: This is an official document from the court that affects your rights. Read this carefully. If you do not understand it, contact a lawyer for help.**

**FROM THE STATE OF ARIZONA TO:** SPENCER JOSEPH BARRETT
Name of Opposing Party

1. **A lawsuit has been filed against you. A copy of the lawsuit and other court papers are served on you with this *"Summons."***

2. **If you do not want a judgment or order entered against you without your input, you must file a written *"Answer"* or a *"Response"* with the court, and pay the filing fee. Also, the other party may be granted their request by the Court if you do not file an *"Answer"* or *"Response"*, *or show up in court.* To file your *"Answer"* or *"Response"* take, or send, it to the:**

   - **Office of the Clerk of Superior Court, 201 West Jefferson Street, Phoenix, Arizona 85003-2205** *OR*
   - **Office of the Clerk of Superior Court, 18380 North 40th Street, Phoenix, Arizona 85032** *OR*
   - **Office of the Clerk of Superior Court, 222 East Javelina Avenue, Mesa, Arizona 85210-6201** *OR*
   - **Office of the Clerk of Superior Court, 14264 West Tierra Buena Lane, Surprise, Arizona 85374.**

   **After filing, mail a copy of your *"Response"* or *"Answer"* to the other party at their current address.**

Case No. FC2

3. If this *"Summons"* and the other court papers were served on you by a registered process server or the Sheriff within the State of Arizona, your *"Response"* or *"Answer"* must be filed within TWENTY (20) CALENDAR DAYS from the date you were served, not counting the day you were served. If you were served by "Acceptance of Service" within the State of Arizona, your "Response" or "Answer" must be filed within TWENTY (20) CALENDAR DAYS from the date that the "Acceptance of Service was filed with the Clerk of Superior Court. If this *"Summons"* and the other papers were served on you by a registered process server or the Sheriff outside the State of Arizona, your Response must be filed within THIRTY (30) CALENDAR DAYS from the date you were served, not counting the day you were served. If you were served by "Acceptance of Service" outside the State of Arizona, your "Response" or "Answer" must be filed within THIRTY (30) CALENDAR DAYS from the date that the "Acceptance of Service was filed with the Clerk of Superior Court. Service by a registered process server or the Sheriff is complete when made. Service by Publication is complete thirty (30) days after the date of the first publication.

4. You can get a copy of the court papers filed in this case from the Petitioner at the address listed at the top of the preceding page, or from the Clerk of Superior Court's Customer Service Center at:

   - 601 West Jackson, Phoenix, Arizona 85003
   - 18380 North 40th Street, Phoenix, Arizona 85032
   - 222 East Javelina Avenue, Mesa, Arizona 85210
   - 14264 West Tierra Buena Lane, Surprise, Arizona 85374.

5. If this is an action for dissolution (divorce), legal separation or annulment, either or both spouses may file a *Petition for Conciliation* for the purpose of determining whether there is any mutual interest in preserving the marriage or for Mediation to attempt to settle disputes concerning legal decision-making (legal custody) and parenting time issues regarding minor children.

6. Requests for reasonable accommodation for persons with disabilities must be made to the division assigned to the case by the party needing accommodation or his/her counsel at least three (3) judicial days in advance of a scheduled proceeding.

7. Requests for an interpreter for persons with limited English proficiency must be made to the division assigned to the case by the party needing the interpreter and/or translator or his/her counsel at least ten (10) judicial days in advance of a scheduled court proceeding.

SIGNED AND SEALED this date ______________________

CLERK OF SUPERIOR COURT

COPY

OCT 25 2023

COURT SEAL

CLERK OF THE SUPERIOR COURT

DEPUTY CLERK

C. Rico

By ______________________

Deputy Clerk of Superior Court

PREPARED By: ELLA J. BLASS CLDP # 81721

**McKENNA LYN BARRETT**
**11204 East Pronghorn Ave.**
**Mesa, AZ 85212**
**(602) 430-6465**
***Petitioner Pro Per***

**Prepared by: Ella J. Blass, AZCLDP#81721**
**AZ Paralegal Assist, LLC #81732**



**IN THE STATE OF ARIZONA**

**MARICOPA COUNTY SUPERIOR COURT**

| | |
|---|---|
| MCKENNA LYN BARRETT,<br>Petitioner,<br>and<br>SPENCER JOSEPH BARRETT,<br>Respondent. | **CASE NO.** FC2023-094519<br><br>**PETITION FOR DISSOLUTION OF NON-COVENANT MARRIAGE WITH CHLIDREN** |

Petitioner, MCKENNA LYN BARRETT, Pro Per, for her Petition for Dissolution of Non-Covenant Marriage with Children (hereinafter "the Petition"), states and alleges as follows:

1. That Petitioner's name is McKENNA LYN BARRETT, and she resides in Mesa, Arizona, as set forth on the Confidential Sensitive Data Sheet filed herewith. The Petitioner has been domiciled in the State of Arizona in excess of ninety (90) days before the filing of this action. Petitioner is employed by Sun Lakes Family Physicians.

2. That Respondent's name is SPENCER JOSEPH BARRETT, and he is an inmate in Oregon Department of Corrections at Coffee Creek, 24499 SW Graham's Ferry Rd., Wilsonville, OR 97070. Respondent was unemployed and homeless prior to his incarceration.

3. That the parties were married on December 19, 2016 in Reno, Washoe County, Nevada, and ever since have been and now are husband and wife.

4. That there is one (1) minor child in common to the parties, namely: LUCILIA ROSELYN BARRETT, born August 19, 2018. The Respondent is not pregnant.

5. That the marriage of the parties is irretrievably broken with no reasonable prospect for reconciliation and that neither party has filed any other action for dissolution in this or any other jurisdiction. This is not a covenant marriage.

6. That it is in the child's best interests that the Petitioner be awarded sole legal decision-making and be designated the primary residential parent. Respondent should not be awarded any parenting time with the minor child until such time as he provides Petitioner with proof of successfully completing substance and alcohol abuse programs and anger management classes and completed a psychological examination, at which time any parenting time between Respondent and the minor child should be supervised and only at Petitioner's discretion and upon Petitioner's approval of the parenting time monitor and place of visitation. Respondent is volatile and has been diagnosed with panic disorder and schizophrenia. He is currently incarcerated for a

2018-2019 Cafa

felony Assault III charge against the Petitioner and will be on parole for an extended period of time when he is released from prison. Respondent has never financially supported the Petitioner or the minor child and in fact has been estranged from the minor child since approximately August 2019, one year after the child's birth.

7. That Petitioner's Proposed Parenting Plan was filed herewith, and Petitioner seeks the court's approval of same.

8. That no child support should be ordered at this time as Respondent is incarcerated and has a history of being a homeless transient with no gainful employment.

9. That the parties have no community property.

10. That each party should retain whatever separate personal property is currently in their possession.

11. That the parties have community debt as follows:

A. Respondent's Sallie May student loans, which should be the obligation of and paid by the Respondent with the Petitioner held harmless as to such debt;

B. Three (3) Bank of America joint credit cards and one Best Buy joint credit card, which should be the obligation of and paid by Petitioner with the Respondent being held harmless as to such debt;

12. Each party should pay any separate debt which is in their name alone.

13. That neither party is entitled to an award of spousal maintenance.

14. That Respondent should be restored her former name, to-wit: McKENNA LYN RUTHERFORD.

15. That each party should pay their own legal or attorney fees and court costs.

WHEREFORE, Petitioner prays as follows:

A. That this Court enter a Decree of Dissolution of Marriage returning each party to the status of a single person;

B. That Petitioner be awarded sole legal decision-making of the minor child; X

C. That Respondent be denied any parenting time until he has provided proof of successfully completing substance and alcohol abuse and anger management programs and completed a psychological examination, at which time he should be granted supervised parenting time only at Mother's discretion and upon her approval of the supervising monitor and place of visitation;

D. That Respondent be obligated to pay his Sallie Mae student loans and hold Petitioner harmless as to such debt and that Petitioner be obligated to pay the three (3) Bank of America and one (1) Best Buy joint credit cards and hold Respondent harmless as to such debt;

E. That each party be responsible for any debt in his or her name alone;

F. That each party retain whatever separate personal property is currently in their possession;

G. That no child support be ordered at this time;

H. That neither party be awarded spousal maintenance;

I. That Petitioner be restored her former name, to-wit: McKENNA LYN RUTHERFORD;

J. That each party shall pay their own legal or attorney fees and court costs;

K. For such other and further relief as the Court shall deem just and proper in the premises.

RESPECTFULLY SUBMITTED this 25 day of October 2023.

McKenna Barrett

**McKENNA LYN BARRETT**
Petitioner Pro Per

2

3

## VERIFICATION

4

| STATE OF ARIZONA | ) |
|---|---|
| | ) SS |
| COUNTY OF PINAL | ) |

5

6

7 **McKENNA LYN BARRETT**, being first duly sworn upon oath, deposes and
8 says:

9 That she is the Petitioner in the above-captioned Petition for Dissolution of Non-
10 Covenant Marriage with Children;

11

12 That she has read the foregoing Petition for Dissolution of Non-Covenant
13 Marriage with Children, by her subscribed, and knows the contents thereof; and

14

15 That she believes that the matters and things herein contained are true, except as to X
16 those stated upon information and belief, and as to those, she verily believes them to be
17 true.

18

19

20 McKenna Barrett
**MCKENNA LYN BARRETT**

21

22 **SUBSCRIBED AND SWORN TO** before me this 25th day of October 2023 by
23 **MCKENNA LYN BARRETT.**

24

25

26

27 Ella J Blass
Notary Public
Pinal County, Arizona
My Comm. Expires 04-11-25
Commission No. 589751

NOTARY PUBLIC

28

COPY

OCT 25 2023

COURT SEAL

CLERK OF THE SUPERIOR COURT

DEPUTY CLERK

C. Rico

**McKENNA LYN BARRETT**
**11204 East Pronghorn Ave.**
**Mesa, AZ 85212**
**(602) 430-6465**
***Petitioner Pro Per***

**Prepared by: Ella J. Blass, AZCLDP#81721**
**AZ Paralegal Assist, LLC #81732**

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

| | |
|---|---|
| McKENNA LYN BARRETT,<br>Petitioner,<br>and<br>SPENCER JOSEPH BARRETT,<br>Respondent. | **NO.** FC2023-094519<br><br>**AFFIDAVIT REGARDING MINOR CHILDREN** |

STATE OF ARIZONA )
) SS
County of Pinal )

Petitioner, McKENNA LYN BARRETT, being first duly sworn upon oath, deposes and states as follows:

1. That there is one (1) minor child of the parties hereto, namely: LUCILIA ROSELYN BARRETT, born August 19, 2018.

2. That she has not participated as a party, witness or in any other capacity in any other litigation concerning custody of the child mentioned above in this or any other state.

3. That she does not have any information of any custody proceeding concerning the child mentioned above pending in a court of this or any other state.

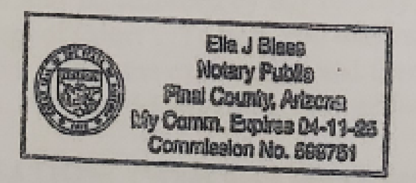
4. That she knows of no other person not a party to this proceeding who has physical custody or claims to have custody or visitation rights with respect to the child mentioned above.

5. That the minor child has resided with Petitioner since her birth.

**DATED** this 25 day of October 2023.

McKenna Barrett
**McKENNA LYN BARRETT**

**SUBSCRIBED AND SWORN** to before me, the undersigned Notary Public, this 25th day of October 2023 by **McKENNA LYN BARRETT.**




Ella J. Blass
Notary Public

# COPY

OCT 25 2023
CLERK OF THE SUPERIOR COURT
DEPUTY CLERK
C. Rico

**McKENNA LYN BARRETT**
**11204 East Pronghorn Ave.**
**Mesa, AZ 85212**
**(602) 430-6465**
***Petitioner Pro Per***

**Prepared by: Ella J. Blass, AZCLDP#81721**
**AZ Paralegal Assist, LLC #81732**

**IN THE STATE OF ARIZONA**

**MARICOPA COUNTY SUPERIOR COURT**

| | |
|---|---|
| McKENNA LYN BARRETT,<br>Petitioner,<br><br>and<br><br>SPENCER JOSEPH BARRETT,<br>Respondent. | **CASE NO** FC2023-094519<br><br>**PRELIMINARY INJUNCTION AGAINST BOTH PETITIONER AND RESPONDENT IN DISSOLUTION OF MARRIAGE PROCEEDINGS** |

**WARNING: This is an official Order from the Court. It affects your rights. Read this Order immediately and carefully. If you do not understand it, contact a lawyer for help.**

Your spouse has filed a "Petition for Dissolution of Marriage with Children (Divorce) with the court. This Order is made at the direction of the Presiding Judge of the Superior Court of Arizona in Pinal County. This Order has the same force and effect as any order signed by the Judge. You and your spouse must obey this Order. This Order is in effect on Petitioner from date of filing and on Respondent from date of service.

This Order may be enforced by any remedy available under the law, including an "Order of Contempt of Court". To help you understand this Order, you have been provided this explanation. Read the explanation and then read the statute itself. **If you have any questions, you should contact a lawyer for help.**

**EXPLANATION: (What does this Order mean to you?)**

1. **ACTIONS FORBIDDEN BY THIS ORDER:** From the time the **Petition for Dissolution of Marriage with Children** ("the Petition") is filed with the court, until the time the Judge signs the Decree, or until further order of the court, both the Petitioner and Respondent **shall not** do any of the following things:

- **a.** You may **not** hide earnings or community property from your spouse; **AND**
- **b.** You may **not** take out a loan on the community property; **AND**
- **c.** You may **not** sell the community property or give it away to someone **UNLESS** you have the written permission of your spouse or written permission from the court. The law allows for situations in which you may need to transfer joint or community property as part of the everyday running of a business, or if the sale of community property is necessary to meet necessities of life, such as food, shelter or clothing, or court fees and attorney fees associated with this action. If this applies to you, you should see a lawyer for help, **AND**
- **d.** You may **not** harass, molest or bother your spouse or the children; **AND**
- **e.** You may **not** physically abuse or threaten your spouse or the children; **AND**
- **f.** You may **not** take the minor children common to the parties out of the State of Arizona for any reasons without a written agreement between you and your spouse or a Court Order, **before** you take the minor children of the State;
- **g.** You may **not** remove or cause to be removed, the other party or the minor children from any existing insurance coverage, including medical, hospital, dental, automobile and disability insurance. Both parties shall maintain all insurance coverage in full force and effect.

**STATUTORY REQUIREMENTS:** Arizona Law, A.R.S. §25-315(A) provides:

1(a). **RESTRICTIONS ON PROPERTY OF THE MARRIAGE:** That both parties are enjoined from transferring, encumbering, concealing, selling or otherwise disposing of any of the joint, common or community property of the parties, **except** if related to the usual course of business, the necessities of life, or court fees and reasonable attorney fees associated with an action filed under this article, without the written consent of the parties or the permission of the court.

1(b). **REQIUREMENTS OF BEHAVIOR:** That both parties are enjoined from molesting, harassing, disturbing the peace, or committing an assault or battery on the person of the other party or any natural or adopted children of the parties.

1(c) **RESTRICTIONS ABOUT YOUR MINOR CHILDREN:** That both parties are enjoined from removing any natural or adopted minor children(ren) of the parties, then residing in Arizona, from the jurisdiction of the court without the prior written consent of the parties or the permission of the court.

1(d). **RESTRICTIONS ABOUT INSURANCE**: That both parties are enjoined from removing, or causing to be removed, the other party or the minor children from any existing insurance coverage, including medical, hospital, dental, automobile and disability insurance. Both parties shall maintain all insurance coverage in full force and effect.

**2. EFFECTIVE DATE OF THIS ORDER:** This Order is effective against the person who filed for divorce, annulment or legal separation (the Petitioner) when the Petition was filed with the court. It is effective against the other party (the Respondent) when it is served on the other party, or on actual notice of the Order, whichever is sooner. This Order shall remain in effect until further order of the court, or the entry of a Decree of Dissolution, Annulment or Legal Separation.

**3. ORDER TO PETITIONER:** You must serve a copy of this Order upon the Respondent along with a copy of the Petition for Dissolution, Annulment or Legal Separation, the Summons, and other required court papers.

**4. WARNING:** This is an official Court Order. If you disobey this Order, the court may find you in contempt of court. You may also be arrested and prosecuted for the crime of interfering with judicial proceedings and any other crime of interfering with judicial proceedings and any other crime you may have committed by disobeying this Order.

**5. LAW ENFORCEMENT:** You or the other party may file a certified copy of this Order with your local law enforcement agency. You may obtain a certified copy from the Clerk of the Court that issues this Order. If you are the person who brought this action, you must also file evidence with the law enforcement agency that this order was served on the other party. If any changes are made to this Order and you have filed a certified copy of this Order with your local law enforcement agency, you must notify them of the changes.

2 **DESCRIPTION OF THE PARTIES:**
**Petitioner:**
3 Name: McKenna Lyn Barrett Gender: Female
4 Height: ________ Weight: _______ Driver's License No. _______________
Date of Birth: 04/26/1994
5
6 **Respondent:**
Name: Spencer Joseph Barrett Gender: Male
7 Height: ________ Weight: _______ Driver's License No. _______________
8 Date of Birth: 04/18/1994
9
10 **GIVEN UNDER MY HAND AND THE SEAL OF THE COURT** this _____ day of October 2023.
11 .
12
13 **Clerk of the Superior Court**
14
15 COPY
16 OCT 25 2023
By:______________________________
17 DEPUTY CLERK
CLERK OF THE SUPERIOR COURT
18 DEPUTY CLERK
C. Rico
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| | |
|---|---|
| [...]enna Lyn Barrett | ) |
| Petitioner | ) |
| and | ) |
| Spencer Joseph Barrett | ) |
| Respondent | ) |

# No. FC2

## Child Support Worksheet

(January 1, 2022 Guidelines)

| DOB: | 08/19/2018 | | | | | |
|---|---|---|---|---|---|---|
| AGE: | 5 | | | | | |
| Youngest Grade Estimated: | | | | Actual Grade: | | |
| Presumptive Termination Date: August 31, 2036 | | | | | | |

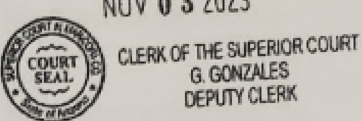
Number of Minor Children: **1** Children 12 or over: **0**

| | | Petitioner | Respondent |
|---|---|---|---|
| **Parenting Plan: Petitioner** | | | |
| **Child Support Income:** | | 3,000.00 | 2,401.00 |
| **Adjustments to Child Support Income: [Mandatory]** | | | |
| Court Ordered Spousal Maintenance (Paid) / Received | | | |
| Court-Ordered Child Support of Other Relationships (Actually Paid) | | | |
| Support of Child[ren] from other relationship **P:** 0 **R:** 0 | | | |
| **Adjusted Child Support Income:** | | 3,000.00 | 2,401.00 |
| Combined Adjusted Child Support Income | | 5,401.00 | |
| **Basic Combined Child Support Obligation For 1 Children** | | 914.00 | |
| **Adjustments to Basic Combined Child Support Obligation:** | | | |
| Adjustment For 0 Children Over Age 12 at 10 % | [Mandatory] | | |
| Medical and Dental Insurance Paid By | [Mandatory] | | |
| Monthly Child Care Costs For 1 Children Paid By | [Discretionary] | | |
| Extra Education Expenses Paid By: | [Discretionary] | | |
| Extraordinary (Gifted or Special Needs) Child Expenses Paid By: | [Discretionary] | | |
| **Total Child Support Obligation** | | 914.00 | |
| Each Parent's Proportionate Percentage of Combined Adjusted Child Support Income | | 55.55 % | 44.45 % |
| Each Parent's Proportionate Share of Total Child Support Obligation | | 507.73 | 406.27 |
| **Parenting Time Adjustment** | | | |
| Using Parenting Time Table For 0 Days At 0.0 % | [Mandatory] | | |
| Total Adjustments To Child Support Obligation From Above | | | |
| **Presumptive Child Support Obligation** | | 507.73 | 406.27 |
| Self Support Reserve Test For Respondent AGI: 2,401.00 | [Discretionary] | | |
| Less: Other Ordered Arrears Paid: ______ Less 1,920.53 = 480.47 | | | |
| **Monthly Child Support Amount To Be Paid By Respondent To Petitioner** | | | 406.00 |

PREPARED BY: ELLA J. BLASS
CLAP# 81721

COPY

NOV 0 3 2023




**McKENNA LYN BARRETT**
**11204 East Pronghorn Ave.**
**Mesa, AZ 85212**
**(602) 430-6465**
***Petitioner Pro Per***

**Prepared by: Ella J. Blass, AZCLDP#81721**
**AZ Paralegal Assist, LLC #81732**

**IN THE STATE OF ARIZONA**
**MARICOPA COUNTY SUPERIOR COURT**

| | |
|---|---|
| MCKENNA LYN BARRETT, Petitioner, | ) **CASE NO. FC2023-094519** |
| and | ) **MOTHER'S PROPOSED PARENTING PLAN** |
| SPENCER JOSEPH BARRETT, Respondent. | ) |

**GENERAL INFORMATION**

**MINOR CHILD:** This Plan concerns the following Minor Child:

LUCILIA ROSELYN BARRETT, born August 19, 2018

**LEGAL DECISION-MAKING:**

Mother shall have sole legal decision-making of the Minor Child.

**PARENTING TIME**

**REGULAR ACCESS:** Mother's home shall be the primary residence of the Minor Child. Father shall only exercise **supervised** parenting time at Mother's discretion and only upon providing proof of successfully completing substance and alcohol abuse and anger management programs and having completed a psychological examination.

already completed after accident (cafa) 2018-2019

1 Supervised parenting time shall be upon Mother's approval of the supervising monitor and place of visitation.

2 **HOLIDAYS AND SCHOOL BREAKS:** Father shall exercise parenting time with the Minor Child during all holidays and school breaks according to the same restrictions and
3 provisions as set forth above.

4 **Father is not permitted to remove the Minor Child from the State of Arizona for any reason unless agreed between the parties in writing with specific destination and**
5 **travel itinerary provided to Mother with three weeks' prior notice of travel. Mother is allowed to remove the Minor Child from the State of Arizona for vacations,**
6 **special occasions, etc.**

7 **Nothing in the above schedule precludes parents from deviating from a particular access or holiday schedule from time to time, by mutual agreement. Such deviation shall not create precedence.**
8

**OUT-OF-POCKET EXPENSES.** Mother shall pay for the Minor Child's
9 extracurricular activities, school supplies, sports and/or lessons.

10 **TAXES.** Mother shall claim the Minor Child as her tax dependent on her tax returns beginning tax year 2023 and each year thereafter.

11
**TRANSPORTATION.** Unless agreed otherwise, the parent that is exercising their parenting time is responsible for transportation. Nothing in this provision shall prevent
12 the parties from mutually agreeing to a change in these arrangements.

13 **EDUCATIONAL ARRANGEMENT.** Both parties may participate in school conferences, events and activities involving the Minor Child once the restrictions on
14 Father have been satisfied and set aside.

15 **MEDICAL, VISION AND DENTAL ARRANGEMENT.** Mother shall continue to provide insurance coverage for the minor child for all medical, dental and vision
16 expenses.

17 **RELIGIOUS EDUCATION.** Each parent has the right to teach the Minor Child in their respective religion.

18 **RESPONSIBILITIES.** Each parent shall provide food and clothing for the Minor Child when the Child is in their respective care.
19

**NOTIFICATION OF ADDRESS CHANGE.** Each parent will inform the other parent
20 of any change of address or phone number no later than within 7 days of the change.

21

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3

**NOTIFICATION OF EMERGENCY/CHANGE OF PARENTING TIME.** Each parent will promptly inform the other parent of any emergency or other important event that involves the Minor Child. If either parent is unable to follow through with the time-sharing arrangements involving the Minor Child, that parent will notify the other parent as soon as possible.

4
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**DEVIATION FROM PARENTING SCHEDULE.** Any deviation from the parenting schedule contained herein shall not permanently modify the agreements set forth herein absent written agreement of the parties to modify this Plan. Nevertheless, the parents will cooperate with each other on an ongoing basis to accommodate the schedules of the parents and the Minor Child.

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**TELEPHONE CONTACT.** Each parent may have telephone contact with the Minor Child during the Child's normal waking hours but shall not interfere with the Child's schoolwork or activities.

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**COMMUNICATION.** All communications regarding the Minor Child will be between the parents and they will not use the Child or significant others to convey information or to set up parenting time changes. Each parent agrees to use the following means of communication: **phone, email and/or text.** Each parent agrees to communicate regarding the Minor Child on a regular basis but not less than on a monthly basis.

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**PRAISE OTHER PARENT/COOPERATION.** Each parent agrees to encourage love and respect between the Minor Child and the other parent, and neither parent shall do anything that may hurt the other parent's relationship with the Minor Child. Both parents will use their best efforts to work cooperatively in future plans consistent with the best interests of the Child and to amicably resolve such disputes as may arise.

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**RELOCATION.** Both parents acknowledge the provisions of A.R.S. §25-403 regarding relocation outside of Arizona or more than 100 miles within Arizona. Accordingly, at least sixty (60) days' advance written notice shall be provided Father before Mother shall relocate the Minor Child outside of Arizona or more than 100 miles within Arizona. This notice must be given by certified mail, return receipt requested, or pursuant to Arizona Rules of Family Law Procedure. If Mother does not comply with the notification requirements of this subsection, she is subject to court sanctions.

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**PERIODIC REVIEW AND CHANGES.** The parents will review this Plan on an annual basis. If the parents still approve of the Plan, then the Plan will remain in place. If one parent has proposed changes or there are other changes requested by a parent, the parents will first use the services of the court conciliation services before filing any documents with the court.

1 **DISPUTES AND ALLEGED BREACHES.** If there are any disputes or alleged breaches of this Plan, either party may request that such disputes be mediated through conciliation services prior to filing an action with the court.

2

**MEDIATION.** If the parents are unable to reach a mutual agreement regarding a legal

3 change to their parenting orders, they may request mediation through the court or a private mediator of their choice.

4

**DO NOT DEVIATE FROM PLAN UNTIL DISPUTE RESOLVED.** While a dispute

5 is being resolved, neither parent shall deviate from this Parenting Plan or act in such a way that is inconsistent with the terms set forth herein.

6

**CONTRACTING LAW.** This Plan is entered into in Arizona and shall be construed

7 and interpreted under the laws of Arizona, and it is expressly agreed that should any provision of this Plan be deemed invalid, then, in that event, the invalid provision shall be deleted from this Plan, and this Plan shall be read as though the invalid, illegal or void

8 paragraph, provision or portion was never included herein, and the remainder of such Plan, excluding such invalid, illegal or void paragraph, provision or portion shall

9 nevertheless subsist and continue in full force and effect.

10 All prior Plans, whether oral or written, entered into by the Parents, concerning the custody and care of the Minor Child are hereby revoked and cancelled as of the date of the execution

11 of this Plan. The Parties acknowledge that all agreements between the Parties concerning the care and custody of the Minor Child are incorporated into this Plan.

12 **NOTIFICATION REGARDING SEX OFFENDERS.** A Child's parent or custodian must immediately notify the other parent or custodian if the parent or custodian knows

13 that a convicted or registered sex offender or a person who has been convicted of a dangerous crime against Child as defined in Section 13-705 may have access to the

14 Child. The parent or custodian must provide notice by first class mail, return receipt requested, by electronic means to an electronic mail address that the recipient provided to

15 the parent or custodian for notification purposes, or by other communication accepted by the court.

16

**DANGEROUS CRIMES AGAINST CHILD A.R.S. §25-403.05(B).** Both Mother and

17 Father have read, understand and will abide by the notification requirements of A.R.S. §25-403.05(B). *that a Child's parent or custodian must immediately notify the other*

18 *parent or custodian if the parent or custodian knows that a convicted or registered sex offender or a person who has been convicted of a dangerous crime against Child as defined in Section 13-705 may have access to the Child. The parent or custodian must*

19 *provide notice by first class mail, return receipt requested, by electronic means to an electronic mail address that the recipient provided to the parent or custodian for*

20 *notification purposes, or by other communication accepted by the court.*

21

1 **APPROVED AS TO FORM AND CONTENT**

2 McKenna Barrett

**MCKENNA LYN BARRETT**, Petitioner

3

4 **SUBSCRIBED AND SWORN** to before me, the undersigned Notary Public, this 3rd day of November 2023 by **MCKENNA LYN BARRETT.**

5

6 BRIAN FELIX
NOTARY PUBLIC - ARIZONA
Maricopa County
Commission # 620232
My Commission Expires
November 19, 2025

Notary Public

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McKENNA LYN BARRETT
11204 East Pronghorn Ave.
Mesa, AZ 85212
(602) 430-6465
*Petitioner Pro Per*

Prepared by: Ella J. Blass, AZCLDP#81721
AZ Paralegal Assist, LLC #81732

**SUPERIOR COURT OF ARIZONA**
**MARICOPA COUNTY**

| | |
|---|---|
| McKENNA LYN BARRETT,<br>Petitioner, | ) CASE NO. FC2023-094519 |
| and | ) **NOTICE REGARDING CREDITORS** |
| SPENCER JOSEPH BARRETT,<br>Respondent. | ) **HON.** ____________________ |

**ARIZONA LAW REQUIRES all actions for DIVORCE or LEGAL SEPARATION to include this NOTICE and for the person filing for Divorce or Legal Separation to SERVE this NOTICE on the other party pursuant to A.R.S. §25-318(F).**

**YOU AND YOUR SPOUSE ARE RESPONSIBLE FOR COMMUNITY DEBTS.** The court usually requires/orders one spouse or the other to pay certain community debts in, or through, the Decree of Dissolution or Legal Separation. A court order that does this is binding on the spouses **only, not the creditors.** You and your spouse are legally responsible for these community debts whether you are married, divorced, or legally separated. These debts are matters of contract between **both of you** and your creditors (such as banks, credit unions, credit card companies, utility companies, medical providers and retailers). On request, the court may impose a lien against the separate property of a spouse to secure payment of certain community debts.

**CONTACT CREDITORS:** You may want to contact your creditors to discuss the debts and the effects of your divorce/legal separation on your debts. To assist you in identifying your creditors, you may obtain a copy of your spouse's credit report by making a written request to the court for an order requiring a credit reporting agency to release the report to you. The credit report will help you identify accounts, account

numbers and account balances. In addition, within thirty (30) days after receipt of a request from a spouse who is party to a divorce or legal separation action, which includes the court and cause number of the action, creditors are required, by law, to provide information as to the balance and account status of any debts for which you or your spouse may be liable to the creditor.

**WARNING: if you do not understand this notice, you should contact an attorney for advice about your legal rights and obligations.**

**The following page contains a sample form you *may* choose to mail to creditors to get information about debts owed by you or your spouse. It is not a required form.**

McKENNA LYN BARRETT
11204 East Pronghorn Ave.
Mesa, AZ 85212
(602) 430-6465
*Petitioner Pro Per*

Prepared by: Ella J. Blass, AZCLDP#81721
AZ Paralegal Assist, LLC #81732

COPY

OCT 25 2023



CLERK OF THE SUPERIOR COURT

DEPUTY CLERK
C. Rico

**SUPERIOR COURT OF ARIZONA**
**MARICOPA COUNTY**

| | |
|---|---|
| MCKENNA LYN BARRETT, Petitioner, | ) **CASE NO.** FC2023-094519 |
| | ) |
| | ) **NOTICE OF YOUR RIGHTS** |
| and | ) **ABOUT HEALTH INSURANCE** |
| | ) **COVERAGE WHEN A PETITION** |
| SPENCER JOSEPH BARRETT, | ) **FOR DISSOLUTION (DIVORCE)** |
| Respondent. | ) **IS FILED (ARS 20-1377 & 20-1408)** |
| | **HON.** ______________________ |

**WARNING: THIS IS AN IMPORTANT LEGAL NOTICE. YOUR RIGHTS TO HEALTH INSURANCE COVERAGE COULD BE AFFECTED AFTER YOUR DIVORCE IS FINAL. READ THIS NOTICE CAREFULLY. IF YOU DO NOT UNDERSTAND THIS NOTICE, YOU SHOULD CALL N ATTORNEY FOR ADVICE ABOUT YOUR LEGAL RIGHRS AND OBLIGATIONS.**

**IMPORTANT INFORMATION IF YOU ARE ON YOUR SPOUSE'S INSURANCE PLAN:** When a Petition for Dissolution of Marriage (papers for a divorce decree) is filed, you and/or your children may continue to be covered under your spouse's health insurance policy. Arizona law allows the dependent spouse and/or children to continue to be covered, but you must take some steps to protect your rights.

**WHAT INSURANCE COVERAGE APPLIES TO YOU, AND HOW TO GET IT:** If you are covered by your spouse's health insurance, and you want to continue to be covered after the divorce is final, you **must** contact the insurance company as soon as possible, and you **must** start to pay the monthly insurance premium within 31 days of the date the insurance would otherwise stop.

FC2023-094519

SUPERIOR COURT OF ARIZONA
IN MARICOPA COUNTY

COPY

OCT 25 2023

CLERK OF THE SUPERIOR COURT
DEPUTY CLERK
C. Rico

McKenna Lyn Barrett
Name of Petitioner / Party A

Case Number: ______________

Spencer Joseph Barrett
Name of Respondent / Party B

ORDER AND NOTICE TO ATTEND PARENT INFORMATION PROGRAM CLASS

THIS IS AN OFFICIAL COURT ORDER. IF YOU FAIL TO OBEY THIS ORDER, THE COURT MAY FIND YOU IN CONTEMPT OF COURT.

THE COURT FINDS:

This case involves minor child(ren) and is an action for:

- ☒ Dissolution of Marriage
- ☐ Annulment
- ☐ Legal Separation
- ☐ Paternity with a Request to Determine Legal Decision-Making Authority (Custody) or Parenting Time or Child Support
- ☐ Request to Determine Legal Decision-Making Authority (Custody) or Parenting Time or Support

THE COURT ORDERS pursuant to ARS § 25-352:

1. Attend class. You must attend and complete the Parent Information Program (PIP) Class.

2. Within 45 days. Both Party A and Party B must complete this class within 45 days from the date the Petition is served. The Party served with the Petition must register for and complete the course whether or not a Response/Answer to the Petition/Complaint is filed.

3. Pay the class fee. Each party must pay the class fee to the Program Provider.
   *If the court fees in your Family Department case have been deferred or waived, you are eligible to have the PIP program fees deferred or waived, respectively. You must provide documentation of your deferral or waiver to the PIP program provider at the time you register for the class.

4. Certificate of completion. Upon your completion of the class the provider for the class will e-file a certificate with the court indicating that you have completed the class. Only approved providers will be able to e-file a certificate.

5. Failure to attend class. If you file a Petition/Complaint or Response/Answer and do not complete the Parent Information Program Class, the judge may not sign your papers and you may not get the things you asked the court to give you. You may also be denied the right to seek modification and/or enforcement of the decree/judgment/order until completion of the class. If you are the party required to file a Response/Answer and choose not to file a Response/Answer, and do not complete the Parent Information Program Class, you may be denied the right to seek modification and/or enforcement of the decree/judgment/order until completion of the class.

**/s/ Ronda R. Fisk**
**Presiding Judge, Family Department**

PREPARED BY: ELLA J. BLASS
CLDP # 81721

Case No: FC2 ____________________

Parent Information Program Notice

Attendance is required (A.R.S. § 25-352). You and the other parent must attend and complete a class in the Parent Information Program. As a precaution against any type of abuse or harassment, you and the other parent must attend separate classes. You may each take the class from the same agency, but not at the same time. This is not a parenting skills class. The purpose of the program is to give parents information about how children are affected by matters that involve divorce, paternity, legal decision-making (custody) and/or parenting time. This Notice applies to all parents who file any of the following actions.

- Dissolution of marriage or legal separation that involves a natural or adopted minor child common to the parties OR
- Paternity with a request that the court determine legal decision-making authority (custody), parenting time or child support, OR
- Any other domestic relations/family cases if attendance is ordered by the court.

If you do not attend the parent information class, the judge may not sign your papers and you may not get what you asked from the court. The judge may also find you in contempt of court.

Notice to the other parent. After you file your court papers, you must serve the Order and Notice on the other parent. If you have questions on how to serve the other parent, the Superior Court Law Library Resource Center locations have forms and instructions available. (https://superiorcourt.maricopa.gov/llrc/court-forms/).

East Court Building
101 West Jefferson Street, 1st floor
Phoenix, Arizona 85003

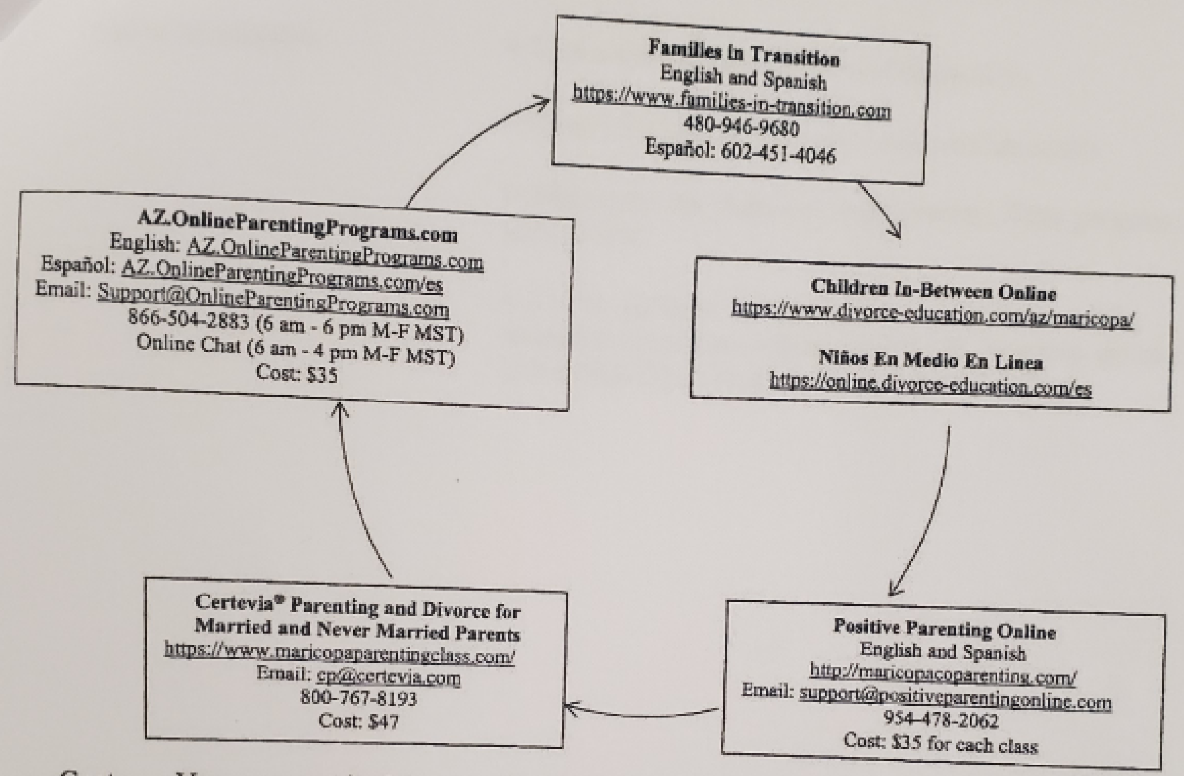
Southeast Court Complex
222 East Javelina Avenue, 1st floor
Mesa, Arizona 85210

Northwest Court Complex
14264 West Tierra Buena Lane
Surprise, Arizona 85374

Northeast Regional Court Center
18380 North 40th Street
Phoenix, AZ 85032

Approved parent information program classes in Maricopa County. You may choose which class you want to attend. The court will not assign you to attend a specific class. Court-approved provider classes are available in both English and Spanish. You can register for your class by contacting one of the providers listed below. If you wish to be excused from the requirement to take this class for some reason or to take a class from a provider that is not one of the "Approved Parent Information Program classes" listed below, you must receive prior authorization from the Judicial Officer assigned to your case.

...sclaimer. The court does not recommend using one program provider over another. Class fee is subject to change without notice.




Cost. You are required to pay the provider the class fee. If the court fees in your Family Department case have been waived or deferred, you are also able to obtain a fee waiver or deferral of the Parent Information Class. Please contact the provider regarding the required documentation for a waiver or deferral.

Special needs or accommodations. If, due to a disability or language need, you have difficulty finding a Parent Information Program class that can accommodate your needs, please contact Family Department Administration at 602-506-1561 for assistance.

Classroom procedures.

- Arrive ten minutes before the start time
- Bring picture identification, if you don't present a photo ID, you will not be admitted to the class
- Bring your case number
- Do not bring children,

Case No: FC2 ______________________

• You must check in to the class and check out. Failure to check in and out of the class may result in your attendance not being counted.

Online procedures.

• Find a time and a place free of distractions

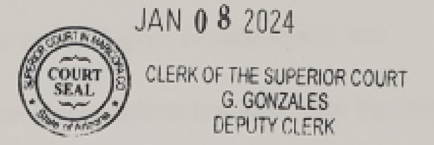
• Have your case number and credit card available

• Make sure the technical requirements of the program match your device

• You do not have to take the entire class at once. The computer remembers where you left off. You may get more out of the class if you break it up into several settings.

**McKENNA LYN BARRETT**
**11204 East Pronghorn Ave.**
**Mesa, AZ 85212**
**(602) 430-6465**
***Petitioner Pro Per***

**Prepared by: Ella J. Blass, AZCLDP#81721**
**AZ Paralegal Assist, LLC #81732**




**IN THE STATE OF ARIZONA**

**MARICOPA COUNTY SUPERIOR COURT**

| | | |
|---|---|---|
| MCKENNA LYN BARRETT,<br>Petitioner,<br><br>and<br><br>SPENCER JOSEPH BARRETT,<br>Respondent. | ) | **CASE NO. FC2023-094519**<br><br>**APPLICATION AND AFFIDAVIT OF DEFAULT** |

**NOTICE: THIS IS AN IMPORTANT DOCUMENT.** When this document is properly completed and filed, Default has been applied for and entered. The Default will be effective ten (10) days after the filing of this completed document, unless the Respondent files an Answer/Response or otherwise defends before the ten-day period expires.

Pursuant to Rule 44, Arizona Rules of Family Law Procedure, Petitioner Pro Per, MCKENNA LYN BARRETT, hereby requests the Clerk of the Court to enter default against Respondent, SPENCER JOSEPH BARRETT, and states as follows:

1. That I am the Petitioner in the above-captioned case. I understand and make the following statements under oath. I give notice that I am requesting entry of default against the Respondent because she has not filed an Answer/Response herein.
2. The Respondent was served on December 6, 2023 and has **not** filed a Response, or otherwise appeared or defended in this case. Default may be entered.
3. The Respondent is **not** in the active military service of the United States.
4. By completing the Certificate of Mailing at the bottom of this pleading, I certify to the Court that on the date of filing this Application and Affidavit for Default I will mail a copy of this pleading to the Respondent at his last known address as further notice that I have applied for default and default has been entered in this case.
5. I understand that I will not qualify for default if I fail to mail this document and I fail to complete the Certificate of Mailing below.

**CERTIFICATE OF MAILING**

**As required by Arizona Rules of Court (A.R.C.P. 55(a) and A.R.F.L. 44(A))**

A copy of the **Application and Affidavit for Default** will be mailed **on the day of filing**, postage pre-paid, to the Respondent at his last known address of **Coffee Creek OR Dept. of Corrections, 24499 SW Graham's Ferry Rd., Wilsonville, OR 97070.**

**NOTE:** If the Respondent fails to file a responsive pleading or otherwise defend in this action **within ten (10) days** of the filing of this Application, a default judgment will be entered. The Petitioner must still attend the default hearing at the court.

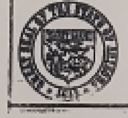
**DATED** the 8th day of January 2024.

McKenna Barrett

**MC KENNA LYN BARRETT**, Petitioner Pro Per

**STATE OF ARIZONA** )
) **SS**
**COUNTY OF MARICOPA** )

**SUBSCRIBED and SWORN** to before me this 8th day of January 2024 by **MC KENNA LYN BARRETT**.



DAVID GUTHARTZ
Notary Public - State of Arizona
MARICOPA COUNTY
Commission # 624206
Expires February 24, 2026

NOTARY PUBLIC

SPENCER BARRETT 22418875
2605 STATE ST
SALEM OR 97310

# CLERK OF THE SUPERIOR COURT
# MARICOPA COUNTY

201 W. Jefferson
Phoenix, Arizona 85003

(602) 37-CLERK (25375)
Fax - (602) 506-7684

**To:** **SPENCER BARRETT 22418875**
**2605 STATE ST**
**SALEM OR 97310**

**THE ATTACHED DOCUMENTS ARE BEING RETURNED TO YOU FOR THE FOLLOWING REASON(S):**

| | |
|---|---|
| ☐ | Cover sheet is missing. |
| ☐ | To request forms, please see attached document. |
| ☒ | Filing fee of $274.00 must be paid prior to filing. Please visit our website (www.clerkofcourt.maricopa.gov) for our acceptable forms of payment. |
| ☐ | The office is unable to accept forms of payment dated over 21 days old. |
| ☒ | If you cannot afford the fee, enclosed is an application for a Deferral/Waiver. |
| ☐ | Pursuant to the Clerk's Office Procedure, any money presented for a bond must be certified funds; e.g. cash, a local attorney's trust account check, or wire transfer. *Money orders and operating account check are not acceptable.* |
| ☐ | $30.00 handling fee is missing. |
| ☐ | Affidavit setting forth last known address for both the judgment creditor and the judgment debtor is missing (A.R.S. 12-1703). |
| ☐ | Authenticated copy of the judgment from the foreign jurisdiction is missing (A.R.S. 12-1702, 25-1055, 25-1302). |
| ☐ | Subpoena format does not meet requirements of Arizona Rules of Civil Procedure. |
| ☐ | Fee for certified copies is $30.00 plus $.50 per page. |
| ☐ | Pursuant to Maricopa County Local Rule 2.5 (c) required verbiage is missing on your Summons, Subpoena or Order to Appear. Your documents are being returned to you unissued. |
| ☐ | Pursuant to Rule 5.1 (c) 2 or 10 of the Arizona Rules of Civil Procedure, your document cannot be filed. |
| ☐ | Pursuant to Administrative Order 2016-006 *Clerk of Court cannot accept Parent Information Program certificates for paper filing for any program that was attended after January 15, 2016.* You may return to the class provider and request that they eFile the certificate or file a motion requesting an order from your assigned Judge to allow you to file. |
| ☐ | Affidavit of Proposed Appointee needs to be provided before a case number can be assigned (ARS 14-3108). |
| ☐ | PB letters cannot be issued: ____ |
| ☐ | Other: |

**ADDITONAL INFORMATION:**

| | |
|---|---|
| ☐ | Documents are not signed and/or notarized. |
| ☐ | Please provide two self-addressed stamped envelopes pursuant to Rule 3.2(I). |
| ☐ | Required document is missing: |
| ☐ | Required copies are missing. Please provide _____ sets of copies. |
| ☐ | Please review Maricopa County Local Rule 2.15 for required formatting of forms and documents. |
| ☐ | The case captions are incorrect. |
| ☐ | Proposed orders that go along with this filing are missing. |
| ☒ | Other: Please refer to www.superiorcourt.marciopa.gov (court forms) for information, instructions, fees and/or documents that may assist you in filing. |
| | Location: ☒ Central Court ☐ Law Library ☐ Southeast ☐ Northeast ☐ Northwest |

Date: **1/16/2024** Deputy Clerk: **ARomero**

***Visit us at our website: www.maricopa.gov/clkcourt***

Person Responding: S.J. Barrett
Global Environmental, Civil Rights & Peace Activist
multimedia Producer & Broadcaster
YouTube Channel: SJ Barrett
FB Page: Conscience Culture

2605 State Street, Salem, OR 97310

IN THE STATE OF ARIZONA
MARICOPA COUNTY SUPERIOR COURT

| | |
|---|---|
| MCKENNA LYN BARRETT, Petitioner, | CASE NO. FC2023-094519 |
| and | PETITION FOR DISSOLUTION |
| SPENCER JOSEPH BARRETT, Respondent, | OF MARRIAGE (RESPONSE) |

Respondent, SPENCER JOSEPH BARRETT (hereinafter "SJB"), Pro Per, for his response to "petition for Dissolution of Non-Covenant Marriage with Children", states and alleges as follows:

1. Respondent SJB is unable to respond in an effective and timely manner due to the Oregon Dep't of Corrections' criminal negligence regarding SJB's access to the courts via mailing and legal materials as exhibitted in cases: 6:23-cv-00738-AR (federal Habeas Corpus) and 23DR11697 (Original Petition for Dissolution of marriage filed in June 2023 with Clackamas County Courthouse, Oregon) by tampering with and confiscating SJB's mail and legal documents/records.

2. Respondent SJB was unable to mail a response until 1/3/2024 when he was permitted access to his property and envelopes after months of Deprivation, constant re-location and unreliable communication

3. Ella J. Blass AZCLDP #81721 and Mckenna Lyn Barrett are guilty of Defamation, fraud, false reporting, extortion, Domestic Terrorism and inflicting Severe mental and Emotional injury on SJB by holding SJB's Daughter and Property Hostage and by falsely alleging:

i. "it is in the Childs best interest Petitioner be awarded sole legal decision making"

ii. "Respondent is volatile and has been diagnosed with Panic Disorder and Schizophenia"

iii. "Respondent is currently ~~is~~ currently for an Assault III charge against the Petitioner"

iv. "Respondent has never financially supported the Petitioner or the Minor Child"

v. "Estranged from the Minor Child since August 2019"

vi. "History of being a homeless transient with no gainful employment"

4. Petitioner has a substance use disorder and Volatile Symptoms of Post Partum which statements of Homicidal and Suicidal Tendencies expressed to Respondent the Month following birth of Minor Child Lucilia Barrett

5. Respondent has never threatened or harmed Petitioner or Minor Child and is currently incarcerated for a DUI charge against Clinton Whitney, sentenced on May 23, 2023 after going to trial with a valid defense

6. Respondent worked 100+ hour weeks during Petitioners Pregnancy; Harrisburg Gas station, a Harrisburg farm and ATEZ Inc, and maintained the last job and enrollment at Lane Community College until Fall 2019 when Respondent and Petitioner moved to a Communal Wildlife Sanctuary in Eagle Point, OR after discovering Petitioners Pregnancy with their Second Child. The marriage fell apart after an abortion and Petitioners Sexual infidelity with Guy Aldama

7. Respondent has photo and Video evidence of Spending time with the minor child up to November 2020 when Petitioner abandoned respondent on the side of a Desert Highway, East of Phoenix (AZ, approx 30 min) near Bull-

dog Canyon

8. Respondent is a free lance multi media producer and broad caster and a Conscientious Objector to the Modern prevailing US Globalist Empire and Culture of War Pyramid Business scheme. SJB is a Global Peace activist living by Spiritual and Christian Precepts: John 13:34-35, Matthew 6:19-21, 30, 33, 10:6-14, 19:19-24, 25:34-46, Luke 14:33

WHEREFORE, Respondent prays as follows:

A. That this court grant SJB's request for a production of materials/evidence, right to discovery and proof of Ella J. Blass and Mckenna Lyn Barrett's Due Diligent respect for the law (regarding allegations 3i - 3vi);

B. That Petitioner be ordered to return SJB's property as detailed in 23DR11697 (Grandmother's wedding ring, cameras, lenses, computers, hard drives and all other equipment essential to SJB's Profession);

C. That this court consider the Parenting Plan detailed in 23DR11697;

D. That this court consider SJB's urgent, natural, fatherly need to re-establish contact with his daughter to ensure her health, happiness and educational progress and comply with the principles set forth in "Mother's Parenting Plan", such as: "Regular access", "Educational arrangement", "Religious Education", "Notification of Address [and Phone] Change", "Notification of Emergency", "Communication" and "Praise other Parent/Co operation: Each parent agrees to encourage love and respect between the minor child and the other parent, and neither parent shall do anything that may hurt the other parents relationship with the Minor Child..."

DATED this 3rd day of January 2024

Sun Josh Barrett

SJ Barrett

CASE NO. FC 2023-094519

# AFFIDAVIT OF INDIGENCE

I, Spencer Joseph Barnett, being first duly sworn on oath, depose and say: That I make this Affidavit on connection with the herewith attached legal action; that I am financially unable to bear the costs, expenses, and fees incurred herein, including, but not limited to, the filing fee, or to employ suitable counsel. The following is a true and correct statement of my assets and liabilities, to the best of my knowledge and belief:

Net Income during previous twelve months: $ 0

Real property: $ 0

Personal property: $ 0

Other assets: $ 0

Liabilities: $ TBD

Dated this 3 day of January, 2024.

[signature]
(Signature)

State of Oregon

County of ______________________

Signed and sworn to (or affirmed) before me on ___________, 20___ by ________________

______________________________
Notary Public – State of Oregon

My commission expires: ____________

Oregon Department of Corrections - AIC Mail
Institution OSP SID 22418875
Name Spencer Joseph Barrett
Address 2605 State Street
City Salem State OR Zip 97310

PORTLAND OR 972
8 JAN 2024 PM 6 L

Legal Mail

USA FOREVER

FC

Office of the Clerk of Superior Court
201 West Jefferson Street
Phoenix, Arizona 85003-2205

85003-224404


RCVD BY COC MAILROOM 01/12/24
FSC
MIX
Envelope
FSC® C137131
THIS ENVELOPE IS RECYCLABLE AND MADE WITH 30% POST CONSUMER CONTENT
© USPS 2019

## Capitol Investigation Company

**Field Sheet #2023007482**

**iority: STANDARD**

ceived: 11/6/2023 at 9:52 am
ourt Date: **Filed:**

**ERVE:**
**/ork: THE KROGER CO % CORPORATION SERVICE COMPANY, R/A, 1127 ROADWAY ST NE STE. 310, SALEM, OR 97301**

**PECIAL INSTRUCTIONS:**
**ttempts** Server: Karlene Gander

| | Date | Time | Comments |
|---|---|---|---|
| 1. | / | | |
| 2. | / | | |
| 3. | / | | |
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**Actual Service Info**
11/7 [illegible]
Served on: 9:15 Type: Christina Hammack As: ______
Married? ______
Military? ______
Address: ______
Comments: ______

Miles ______
Hours ______
Additional Addr: 1 2 3
Courier ______
Out of Pocket Costs

Age 26 Sex M (F) Race Cauc Height 5'6 Weight 130 Hair Blonde Glasses Y (N)

Case Number: 23CV44602 MULTNOMAH Circuit
Plaintiff
VIVIAN VUONG
Defendant
THE KROGER CO.

Type of Writ: **Summons and Complaint**

Client: David Wagner
Firm: Attorney at Law
Phone: (503) 256-0119 Fax: (503) 252-9596
Client Reference Number:

Law Governing Habeas - 28 U.S.C. §2254

§1.0

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(OSU)



**OREGON DEPARTMENT OF CORRECTIONS**

**AIC COMMUNICATION FORM**

TO: Record Keeping Date: 8/16

State your issue in detail: On 8/5 I was moved cells and not allowed to keep my property: legal paperwork & records. Please allow me a record/copy of all my records you have on file including but not limited to: AIC comm. forms, Grievances, Petitions for admin. Review and Hearings audio (from 6/27 & 8/15)

I have also requested, and not received 3 CD 1473's, a transitional Housing Packet and I would like to know how to access anything else on my "file"

I know it sounds like I'm asking a lot, but it's the least O.D.O.C. can do after stealing my property

| AIC Committed Name (first middle last) | SID# | Housing Unit |
|---|---|---|
| Spencer Joseph Barrett | 22418875 | SG112 (OSU) |

Response/Action Taken:

Date Received: Referred To*:

Date Answered: Signature of Staff Member:

*If forwarded, please notify the AIC

CD 214 (02/2020)

TO: Barrett, Spencer 22418875 SG-112

LAST NAME FIRST INITIAL SID# CELL/BUNK#

A Hearing concerning the attached Misconduct Report will be scheduled and conducted in accordance to OAR 291-105-0005 through OAR 291-105-0100.

Notice of Hearing/Rights Served: Time: 7:00 (am/pm) Date: 8/6/23

By: M. Heldt Sergeant

Printed Name/Signature Title

## RIGHTS IN FORMAL AND INFORMAL HEARINGS

**1. HEARING:** You are entitled to a hearing whenever a Misconduct Report is filed against you. Prior to your hearing, you will be provided a copy of the Misconduct Report, a Notice of Hearing/Rights, and the Rules of Misconduct. Once you receive these documents, you will have at least 24 hours to prepare for your hearing, unless you waive this right. If you are charged with one or more major rule violations, you will have a formal disciplinary hearing before a Hearings Officer. If you are charged with only minor rule violations, you will have an informal disciplinary hearing before an adjudicator; unless you specifically request that the minor charges be heard at a formal hearing. Formal hearing proceedings will be recorded.

You may waive/decline your right to attend your hearing. Inappropriate behavior could also warrant your exclusion from participation in the hearing. In such cases, the hearing will be conducted in your absence and you will be notified in writing of the decision.

**2. REPRESENTATION/EVIDENCE:** You have a right to speak on your own behalf and present evidence at the hearing. You will be allowed to receive assistance from another person during the hearing to prepare a defense, to understand the charge or the surrounding facts and rights available to you if you have a visual, speech, or hearing disability and/or your competency is in question.

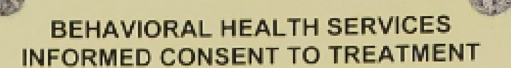
The Hearings Officer/adjudicator may exclude evidence that is determined to create a threat to the safety or security of the facility or that would not assist with the resolution of the disciplinary action. The Hearings Officer/adjudicator may consider evidence which is considered confidential and you will not be provided the names of individuals providing the information or any specific statements they may have given.

**3. INVESTIGATION/WITNESSES:** In a formal hearing, you may request an investigation be conducted related to the charges against you or witnesses be called to testify on your behalf. However, you should submit your request for witnesses to the Hearings Officer, in writing, in advance of the hearing, and include a list of the person(s) you are requesting be called to testify and the questions sought to be posed to each person. Requests for witnesses must minimally be made to the Hearings Officer at the time of the hearing. You must provide the Hearings Officer with sufficient evidence to conclude that the results of the investigation and/or the testimony provided by witnesses will either constitute a defense to the charge(s) or substantially lessen the severity of the violation(s). Otherwise, the Hearings Officer may deny your request. Requests for witnesses made or received after a hearing is decided will not be considered. In an informal hearing, you may *request* an investigation. Adults in Custody (AIC) are not permitted to call witnesses in an informal hearing.

**4. FINDINGS/SANCTIONS:** The Hearings Officer/adjudicator will decide based upon the evidence, whether you have violated the rule(s) as charged in the misconduct report. The Hearings Officer/adjudicator may dismiss the alleged rule violation(s) for insufficient evidence or corrective action using less formalized procedures. In a formal hearing, the Hearings Officer may also find a violation of a lesser included charge. The Hearings Officer may dismiss the alleged rule violation(s) at any stage of the proceedings, with or without prejudice.

If you are found in violation, the Hearings Officer/adjudicator may impose sanctions. These sanctions may include, but are not limited to: segregation, monetary fines, loss of privileges, restitution, and basic visits.

In a formal hearing, the Hearings Officer will prepare and submit to the functional unit manager, a written Finding of Fact, Conclusion, and Preliminary Order within ten (10) working days of the conclusion of your hearing.



# BEHAVIORAL HEALTH SERVICES
# INFORMED CONSENT TO TREATMENT

**Information given to Behavioral Health Services mental health treatment providers is confidential and not shared with anyone outside of Health Services without written consent of the AIC except as follows:**

Non-Health services staff may be given the AIC's name, services recommended or provided, provider's name, dates of treatment, and a brief comment about extent of participation. Mental health treatment providers may also make recommendations to non-Health Services staff about ways to help AICs with mental health problems without giving details of diagnosis or medication prescribed.

Non-Health services staff may be given some mental health information (e.g. diagnosis, symptoms of decompensation, suicide risk factors, etc.) if:

- they are currently acting within the official scope of their duties to develop or evaluate treatment strategies and plans;
- they are involved in developing correctional plans, risk or behavior management plans or suicide and crisis prevention plans as members (e.g. designated correctional counselors, mental health housing officers, etc.) of a multidisciplinary team, treatment team, committee, or other official;
- they are involved in release planning; or
- this type of disclosure is necessary or beneficial to the planning and treatment of the AIC, staff or institution safety.

**Some information is not confidential and will be reported to non-Health Services staff and/or a community agency as appropriate. This includes knowledge of:**

- danger to self or others,
- abuse of a child under 18 years of age, abuse of an adult 65 years of age or older, or abuse of individuals who meet the legal requirement of developmentally disabled or mentally ill,
- staff physical, or sexual abuse or sexual harassment of AICs,
- sexual abuse or sexual harassment of or by another AIC,
- AIC report of sexual abuse as a child if an alleged abuser is identified,
- escape plans or attempts.

**AIC rule violations may be reported when the violation poses an immediate threat to the health and safety of self, other AICs, staff, or to the community.**

**Reports will always be limited to what is necessary to maintain safety and within legal parameters.**

---

My signature below indicates that I understand the confidentiality policy used by BHS treatment providers.

AIC signature ____________ Provider Signature ____________ Date ____________

---

## BHS MENTAL HEALTH SERVICES CONSENT TO TREATMENT

**Inmate initials below:**

[ ] I consent to mental health services which may include on-going assessment, case management, and treatment for mental health concerns.

[X] I do not consent to mental health treatment, but I understand a mental health treatment provider will follow my case to determine whether treatment should continue to be offered.

---

AIC Comments:

AIC Signature ____________ Provider Signature ____________ Date ____________

---

www.archive.org/details/@endtheschism
Youtube Channel: SJ Barrett

| AIC Name | BARRETT, SPENCER JOSEPH |
| --- | --- |
| SID #: | 22418875 |
| | 04/18/1994 |

Dr. Mours "whats mine is yours" 6/28

IN THE COURT OF APPEALS OF THE STATE OF OREGON

| STATE OF OREGON,<br><br>Plaintiff-Respondent,<br><br>v.<br><br>SPENCER JOSEPH BARRETT,<br><br>Defendant-Appellant. | Lane County Circuit Court<br>Case No. 19CR17970 |
|---|---|

**NOTICE OF APPEAL**

1.

Defendant hereby gives notice of appeal from the judgment entered in this case on May 23, 2023, by Judge Beatrice N. Grace in the Lane County Circuit Court.

2.

The parties to this appeal are the State of Oregon (Respondent) and Spencer Joseph Barrett (Appellant).

3.

The names, bar numbers, addresses, and telephone numbers of the attorneys for the parties are as follows:

Attorney for Appellant:
Kyle Krohn OSB #104301
Office of Public Defense Services
1175 Court Street NE
Salem, OR 97301-4030
Kyle.Krohn@opds.state.or.us
(503) 378-3349

Attorney for Respondent:
Benjamin Gutman #160599
Solicitor General
1162 Court Street NE
Salem, OR 97301-4096
benjamin.gutman@doj.state.or.us
(503) 378-4402

4.

Appellant designates the record in its entirety (excluding voir dire), including the trial court file, all exhibits offered and/or received into evidence, and the entire record of the oral proceedings listed below:

1. The fitness to proceed hearings held on February 1, and 2, 2023.
2. The pretrial conference held on or about February 13, and 15, 2023; and March 13, 2023.
3. The arraignment held on or about February 15, 2023.
4. The hearing held on or about May 16, 2023.
5. The jury trial proceedings beginning on or about May 3, 4, 5, 9, and 17, 2023.

6. The sentencing proceedings held on or about May 11, 18, and 23, 2023.
7. The audio played on or about May 4, 2023

5.

The record includes one or more audio or video recordings that were played in the trial court, and the record on appeal should include a transcription of those recordings. Oregon Rules of Appellate Procedure, Rule 3.33(4)(b). The dates of each hearing at which such a recording was played are as follows: May 4, 2023.

6.

I hereby certify that I served the foregoing Notice of Appeal on opposing counsel on June 9, 2023, by emailing a true copy of the document to Benjamin Gutman #160599, Solicitor General, Oregon Department of Justice at AppellateService@doj.state.or.us, and by mailing a true copy to each of the following:

Trial Court Administrator
Lane County Courthouse
125 E. 8th Avenue
Eugene, OR 97401

Lane County District Attorney
125 E 8th Avenue
Eugene, OR 97401

Transcript Coordinator
Lane County Courthouse
125 E. 8th Avenue
Eugene, OR 97401

Allison Knight
Attorney at Law
180 E. 11th Ave
Eugene, OR 97401

7.

I certify that on June 9, 2023, I electronically filed the original of this notice of appeal with the Appellate Court Administrator.

DATED June 9, 2023.

Respectfully submitted,

ERNEST G. LANNET
CHIEF DEFENDER
CRIMINAL APPELLATE SECTION
OFFICE OF PUBLIC DEFENSE SERVICES

***Signed***
***By Kyle Krohn at 3:47 pm, Jun 09, 2023***

KYLE KROHN OSB #104301
SENIOR DEPUTY PUBLIC DEFENDER
Kyle.Krohn@opds.state.or.us

Attorneys for Defendant-Appellant
Spencer Joseph Barrett



Office of Public Defense Services • Appellate Division
1175 Court St. NE • Salem, Oregon 97301-4030
Telephone: (503) 378-3349 • Fax: (503) 378-2163

# IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF LANE

| | | |
|---|---|---|
| State of Oregon, | ) | |
| Plaintiff | ) | |
| | ) | Case No.: 19CR17970 |
| vs. | ) | |
| | ) | JUDGMENT |
| | ) | |
| Spencer Joseph Barrett, | ) | Case File Date: 03/15/2019 |
| Defendant | ) | District Attorney File #: 039309561 |

## DEFENDANT

True Name: Spencer Joseph Barrett
Date Of Birth: 04/18/1994
Fingerprint Control No (FPN): JLAN118045383

Sex: Male
State Identification No (SID): 22418875OR

## HEARING

Proceeding Date: 05/23/2023

Defendant appeared in person and was in custody. The court determined that the defendant was indigent for purposes of court-appointed counsel, and the court appointed counsel for the defendant. The defendant was represented by Attorney(s) Allison Knight, OSB Number 143622. Plaintiff appeared by and through Attorney(s) David A Jampolsky, OSB Number 224274.

## COUNT(S)

It is adjudged that the defendant has been convicted on the following count(s):

### Count 1 : Assault in the Third Degree - DUII

Count number 1, Assault in the Third Degree - DUII, 163.165(2)(b), Felony Class B, committed on or about 11/16/2018. Conviction is based upon a Jury Verdict of Guilty on 05/09/2023.

Sentencing Guidelines

The Crime Severity Classification (CSC) on Count Number 1 is 8 and the Criminal History Classification (CHC) is D.

Incarceration

Defendant is sentenced to the custody of Oregon Dept of Corrections, for a period of 20 month(s). Defendant is remanded to the custody of the Lane Sheriff for transportation to the Oregon Dept of Corrections for service of this sentence. Defendant may receive credit for time served.

The Defendant may be considered by the executing or releasing authority for any form of Reduction in Sentence, Conditional or Supervised Release Program, Temporary Leave From Custody, Work Release authorized by law for which the Defendant is otherwise eligible at the time of sentencing. The Defendant may be considered for release on post-prison supervision under ORS 421.508(4) upon successful completion of an alternative incarceration program.

Post-Prison Supervision

The term of Post-Prison Supervision is 2 year(s). If the Defendant violates any of the conditions of post-prison supervision, the defendant shall be subject to sanctions including the possibility of additional imprisonment in accordance with the rules of the State Sentencing Guidelines Board.

Statutory Provisions

Defendant is ordered to submit blood or buccal sample and thumbprint pursuant to ORS 137.076.

## Count 2 : Driving Under the Influence of Intoxicants

Count number 2, Driving Under the Influence of Intoxicants, 813.010(4), Misdemeanor Class A, committed on or about 11/16/2018. Conviction is based upon a Jury Verdict of Guilty on 05/09/2023.

Incarceration

Defendant is sentenced to the custody of County Jail, for a period of 30 day(s). Defendant is remanded to the custody of the Lane County Sheriff for transportation to the Supervisory Authority for service of this sentence. Defendant may receive credit for time served.

The Defendant may be considered by the supervisory authority for any form of alternative sanction authorized by ORS 423.478, and the Defendant shall pay any required per diem fees.

This sentence shall be concurrent with all previously imposed sentences.

If convicted of a felony or a crime involving domestic violence, you may lose the right to buy, sell, transport, receive, or possess a firearm, ammunition, or other weapons in both personal and professional endeavors pursuant to ORS 166.250, ORS 166.291, ORS 166.300, and/or 18 USC 922(g).

**Payment Schedule**

Payment of the fines, fees, assessments, and/or attorney's fees noted in this and any subsequent Money Award shall be scheduled by the clerk of the court pursuant to ORS 161.675.

Payable to:

**Lane County Circuit Court**
**125 E. 8th Ave.**
**Eugene, Oregon 97401**
**P: 541-682-4020**
**F: http://courts.oregon.gov/Lane**

Dated the 23rd day of May, 20 23

Signed: ______________________
Beatrice Grace, Circuit Court Judge

5/23/2023 11:35:42 AM




**Ashland Police Department**
1155 East Main Street | Ashland, OR 97520
Phone: 541.482.5211 | Fax: 541.488.5351
*www.ashland.or.us/police*



# INITIAL INCIDENT REPORT

**CASE NUMBER:** AP220001595
**REPORT WRITTEN:** 08/02/2022 02:54:00

## INCIDENT DETAILS:

| | |
|---|---|
| **Incident Type:** | Trespass |
| **Incident Date/Time:** | 08/01/2022 23:49:00 |
| **Reported Date/Time:** | 08/01/2022 23:49:00 |
| **Incident Location:** | 347 E MAIN ST, ASHLAND OR 97520 |
| **Incident Status:** | Cleared by Arrest (by Your Agency) |

| | | | | | |
|---|---|---|---|---|---|
| Karly's Law: | NO | **NARCAN Deployed:** | NO | **Money Seized** *(DA Review)*: | NO |
| Search Warrant: | NO | **Warrant Request:** | NO | | |

## OFFENSE DETAILS:

| Statute: | Description: | Counts: | Level: |
|---|---|---|---|
| 0164.245 | Trespass 2 | 1 | Misdemeanor |
| 0164.354 | Criminal Mischief 2 | 1 | Misdemeanor |
| 0162.247 | Interfere with Peace Officer | 1 | Misdemeanor |
| 137.050 | FTA Assault 2 | 1 | Felony |
| 137.050 | FTA Assault 3 | 1 | Felony |

## CASE SUMMARY:

ON 08/01/2022 AT 11:54 PM APD OFFICERS RESPONDED TO THE BEAUX CLUB FOR A TRESPASS REPORT. SPENCER BARRETT WAS ARRESTED FOR CRIMINAL TRESPASS II, CRIMINAL MISCHIEF II AND INTERFERING WITH A PEACE OFFICER. SPENCER WAS ALSO LODGED AT THE JACKSON COUNTY JAIL ON TWO ADDITIONAL WARRANTS FOR HIS ARREST.

## DISTRIBUTION:

| | | | | | | | |
|---|---|---|---|---|---|---|---|
| ☑ DA's Office | ☐ Circuit Court | ☐ JDH | ☐ CAC | ☐ DHS | ☐ APS | ☐ P&P | ☐ Muni. Court |
| ☐ Justice Court | ☐ Mental Health | ☐ Medical Examiner | | ☐ DMV | ☐ IMET/Madge | | ☐ City Attorney |
| ☐ Other: | | | | | | | |

## DIGITAL EVIDENCE:

Body Worn Camera, MAV - In Vehicle Audio/Video

Reporting: FISHER, BILL 8/2/2022 2:54 AM

*Printed by: CARPENTER, MATT on 8/2/2022 4:06:03 AM*



DA, Risk Mgmt 080222 KY KY

**INVOLVED PERSONS:**

**Suspect Information:**

| | |
|---|---|
| LODGED OR CITED: | PERSON WAS LODGED |
| RELATED OFFENSE(S): | Interfere with Peace Officer<br>Trespass 2<br>Criminal Mischief 2<br>FTA Assault 2<br>FTA Assault 3 |

| Name: | | | | | DOB: | Age: |
|---|---|---|---|---|---|---|
| BARRETT, SPENCER JOSEPH | | | | | 4/18/1994 | 28 |
| **Race:** | **Sex:** | **Height:** | **Weight:** | **Hair:** | **Eyes:** | **Place of Birth:** |
| W | M | 602 | 160 | BLN | BLU | |
| **SSN:** | | **License:** | | **SID:** | **FBI:** | |
| | | 2527840/OR | | | | |
| **Address:** | | | | **Email:** | | |
| 100 ASHLAND TRANSIENT, ASHLAND | | | | | | |

**Victim Information:**

| | |
|---|---|
| RELATED OFFENSE(S): | Trespass 2 |

| Name: | | | | | DOB: | Age: |
|---|---|---|---|---|---|---|
| / | | | | | | 35 |
| **Race:** | **Sex:** | **Height:** | **Weight:** | **Hair:** | **Eyes:** | |
| W | F | 506 | 135 | BLN | BRO | |
| **SSN:** | | **License:** | | | | |
| | | | | | | |
| **Address:** | | | | **Email:** | | |
| OR | | | | | | |
| / | | | | | | |
| **Home Phone:** | | **Cell Phone:** | | **Business Phone:** | | |
| | | | | (54 | | |

# IN THE CIRCUIT COURT OF THE STATE OF OREGON FOR THE COUNTY OF BENTON

| | | |
|---|---|---|
| State of Oregon, | ) | |
| Plaintiff | ) | |
| | ) | Case No.: 17CR47488 |
| vs. | ) | |
| | ) | **JUDGMENT** |
| | ) | |
| Spencer Joseph Barrett, | ) | Case File Date: 07/19/2017 |
| Defendant | ) | District Attorney File #: 1701437 |

## DEFENDANT

True Name: Spencer Joseph Barrett
Sex: Male
Date Of Birth: 04/18/1994
State Identification No (SID): 22418875OR
Fingerprint Control No (FPN): JBEN117005884

## HEARING

Proceeding Date: 09/08/2017
Judge: David B Connell

Defendant appeared in person and was in custody. The defendant was represented by Attorney(s) DAVID A CORDEN, OSB Number 910339. Plaintiff appeared by and through Attorney(s) Matthew Dan Ipson, OSB Number 136554. Defendant knowingly waived two day waiting period before sentencing.

## COUNT(S)

It is adjudged that the defendant has been convicted on the following count(s):

### Count 1 : Attempt to Commit a Class B Felony - Assault in the Second Degree

Count number 1, Attempt to Commit a Class B Felony - Assault in the Second Degree, 161.405(2)(c), Felony Class C, a lesser included charge, committed on or about 07/18/2017. Conviction is based upon a Guilty Plea on 09/08/2017.

**Sentencing Guidelines**

The Crime Severity Classification (CSC) on Count Number 1 is 8 and the Criminal History Classification (CHC) is I.

The court finds substantial and compelling reason for a Downward Dispositional Departure, as stated on the record. This departure is pursuant to the following aggravating or mitigating factor(s):

- By stipulation.

**Payment Schedule**

Payment of the fines, fees, assessments, and/or attorney's fees noted in this and any subsequent Money Award shall be scheduled by the clerk of the court pursuant to ORS 161.675.

Payable to:

**Benton County Circuit Court**
**120 NW 4th St**
**Corvallis, Oregon 97330**
**P: 541-766-6828**
**F: http://courts.oregon.gov/benton**

Dated the ________ day of ______________ Signed: 9/8/2017 01:34 PM ______________, 20__________

Signed: ________________________________________

David B Connell

**Circuit Court Judge David B. Connell**

ADDED CHARGES ____________

JACKSON COUNTY SHERIFF'S OFFICE JAIL BOOKING APPLICATION SO#.____________

| NAME (LAST NAME, FIRST NAME, MIDDLE NAME) | AKA/NICKNAME | RACE | SEX | DOB |
|---|---|---|---|---|
| BARRETT, SPENCER JOSEPH | | W | M | 04/18/94 |

| ADDRESS | PHONE NUMBER | SOCIAL SECURITY NUMBER |
|---|---|---|
| 100 ASHLAND TRANSIENT, ASHLAND OR 97520 | | 647-20-2350 |
| ARREST LOCATION | OFFENSE DATE/TIME | ARREST DATE/TIME |
| 347 E MAIN ST, ASHLAND OR 97520 | 8/1/2022 23:49 | 8/2/2022 00:10 |
| ARRESTING/TRANSPORT OFFICER(S) | ARRESTING AGENCY | AGENCY CASE # / OCA # |
| BILL FISHER | ASHLAND POLICE DEPARTMENT | AP220001595 |

| CHARGES | O.R.S. NUMBER | BAIL | WARRANT | COURT |
|---|---|---|---|---|
| Trespass 2 - Misdemeanor X 1 | 0164.245 | $0.00 | 22CR37006 | JACKSON COUNTY CIRCUIT COURT |
| Interfere with Peace Officer - Misdemeanor X 1 | 0162.247 | $0.00 | 22CR37006 | JACKSON COUNTY CIRCUIT COURT |
| Criminal Mischief 2 - Misdemeanor X 1 | 0164.354 | $0.00 | 22CR37006 | JACKSON COUNTY CIRCUIT COURT |
| FTA Assault 2 - Felony X 1 | 137.050 | $0.00 | 17CR47488 | BENTON COUNTY CIRCUIT COURT |
| FTA Assault 3 - Felony X 1 | 137.050 | $50,000.00 | 19CR17970 | LANE COUNTY CIRCUIT COURT |

**ARRESTING OFFICER OBSERVATION: ARE YOU AWARE OF THE ARRESTEE HAVING ANY OF THE FOLLOWING?:**

1. INDICATORS OF ILLNESS OR INJURY? NO IF YES, EXPLAIN:
N/A

2. HEAD INJURY? NO IF YES, EXPLAIN:
N/A

3. INVOLVED IN A MVA IN THE LAST TWELVE HOURS? NO IF YES, EXPLAIN:
N/A

4. MEDICAL ATTENTION RECEIVED PRIOR TO LODGING? NO
WHICH HOSPITAL? N/A

5. WAS MEDICAL ATTENTION REFUSED? NO IF YES, EXPLAIN:
N/A

6. ANY INDICATION OF SUICIDE RISK? NO IF YES, EXPLAIN:
N/A

7. MENTAL ILLNESS? NO IF YES, EXPLAIN:
N/A

8. DRUG OR ALCOHOL INTOXICATION? NO IF YES, BAC IF KNOWN: 0%

*IF THE ANSWERS TO ANY OF THE ABOVE QUESTIONS ARE YES, SHIFT SUPERVISOR'S APPROVAL NEEDED:*

SHIFT SUPERVISOR/DESIGNEE APPROVAL____________ TIME__________ DATE__________

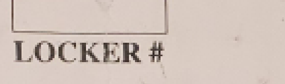
| RECEIVING RECORDS CLERK | I.D. NUMBER | DATE/TIME ACCEPTED |
|---|---|---|
| | | |

PAT DOWN DEPUTY ____________________

SID #________________ FBI #________________ MNI #__________

PO ______________________________ OLN # / STATE ______ 2527840 / OR ______

PAT DOWN DEPUTY ______________________________



LOCKER #




## LANE COUNTY ADULT CORRECTIONAL FACILITY
## BOOKING PROPERTY FORM

**The following is a list of items not allowed inside Lane County Adult Correctional Facility. The list is not all-inclusive and some items may be at the discretion of the Booking Deputy.**
**Weapons (including knives), fireworks, matches, lighters, scissors, perishable items, marijuana, vape pens/ e-cigarettes, razors. Additionally, anything too large to fit into one property bag will not be accepted.**

**I certify that I have inven[label covers text]ging to:**

**BARRETT, SPENCER**
**3928942**
**FROM JACKSON**
**4/20/23**

________________________________________

**I further certify that I have not included any of the items listed above.**

J. Goddard #384 — LCSO [illegible] 20-23

**ARRESTING OFFICER SIGNATURE AND BADGE #** — **AGENCY/DATE/TIME**

| | |
|---|---|
| BELT/BUCKLE ______ | CITE # ______ |
| CELL-PHONE ______ | CITE # ______ |
| CIGARETTES ______ | CITE # ______ |
| GLASSES ______ | MISC. ______ |
| JEWELRY ______ | SEALED Property BAG |
| ODL/ID ______ | From Jacks[illegible]nty |
| PURSE ______ | ______ |
| WALLET ______ | ______ |
| WATCH ______ | ______ |

**THE ABOVE PROPERTY IS BEING HELD FOR ME BY THE LANE COUNTY ADULT CORRECTIONAL FACILITY UNTIL MY RELEASE. I UNDERSTAND THAT ANY PROPERTY LEFT OVER 60 DAYS PAST MY RELEASE, OR TRANSFER, WILL BE DISPOSED OF BY THE LANE COUNTY ADULT CORRECTIONAL FACILITY. PAPER CURRENCY IS NOT ALLOWED IN PROPERTY UNLESS CONTAMINATED.**

X [signature] ________________________ ______________
**INMATE SIGNATURE / REFUSED / UNABLE** — **DATE**

X ________________________ ______________
**INMATE SIGNATURE FOR RELEASE OF PROPERTY OR ACKNOWLEDGEMENT OF RELEASE TO REQUESTED 3RD PARTY. I UNDERSTAND I'M RECEIVING INFORMATION ON THE REVERSE SIDE OF THIS FORM ABOUT THE GRIEVANCE PROCEDURES AND DEBIT CARD PROCESS** — **DATE**

**PROPERTY RELEASED PER YOUR REQUEST TO** ________________ **ON** ________

C78-43 Rev 1/2019 — White - Arresting Agency — Yellow - Records — Pink - Inmate Only, Upon Release or Transfer

Lane County Sheriff's Office
Adult Corrections Division

# INMATE REQUEST FORM
## Hoja de Petición de Preso

Name: Spencer Joseph Barrett AIRS #: 3128942 Housing Unit: SAX-V-1 Date: 5/2/23
Nombre Celdo Fecha

Request To: (Check One Only)
Petición dirigida a: (Marque uno nada mas)

- ___ Shift Supervisor / Supervisor
- ___ Classification / Classificaciones
- ___ Mental Health Services / Servicios de Salùd Mental
- X Medical Services / Servicios Médicos
- ___ Alcohol/Drug Services / Servicios de Alcohol/Drogas
- ___ Inmate Work Program / Programa de Trabajadores Presos
- ___ Education / Educación
- ___ Chaplain / Capelán
- ___ Other / Otra Cosa

RECEIVED MAY 02 2023

Request: (Describe Situation)
Petición: (Explique la situación)

May I please have some gatorade packets for trial during the next 3 days, it helps my brain think better during long sessions of heavy information and life altering decisions.
Thank you for considering

Response:
Repuesta:

No, you do not qualify. Save your juice pks.

They didn't put one in my dinner.

Name: Date: 5/2/23 Time: 1150

C77-145 Revised 07/2013

Dear Honorable Judge,

I am happy to say I have finally recieved the psych evaluation which you used as evidence in your order finding me unfit to proceed-dated 10/5/22 (case# 19CR17970).

I hope there is audio evidence to back up Isabelle's claims - because I have noted more than 40 transcription errors (& counting)

I have personally worked for the D.O.J. in the D.O.I. as a court reporter and transcriber in early 2019 and we took many pre-cautions to ensure errors like this did not happen. Although the current lack of accountability is appalling I hope my experience and testimony will help make

- the necessary corrections so that this
sort of confusion doesn't happen again.

There is much more I would like to
talk with you about, but I will wait
until after the Holidays.

So please extend "the benefit of doubt"
your word for word response to the (10/5)
errors my lawyer Amy Counter made
on her Declaration - which I am still
"in the dark about") to me, my character,
innocense and sanity, despite one poorly
made psych eval.

Happy Holidays from The Oregon State Hospital!

RECEIVED
JAN 23 2023
CIRCUIT COURT LANE CO.

(1/12/23)
Case # : 19CR17970

Your Honor,

Evidence that the evaluation by Isabelle was NOT objective or impartial and also lied about hypothetical reasoning skills and my inability to participated in my defense (refer to page 5 of 8 "Psychiatry admission Assessment")

Also, evidence of Jackson County DA & Judge deception, coercion (refer to proceedings transcript from 8/8/22 and page 2 of "petition to enter plea of Guilty" – which was signed by me for Criminal Mischief but as transcript proves – was unexpectedly changed on the day of the plea to "false reporting") (case # 22CR37006)

Page 000042 of "Supplemental Incident Report" (Oregon State police. Incident: SP184261 53 Crash-Injury @ 11/16/2018 12:51) testifies to my defense that I drank after the accident an amount of Tequila or beer sufficient to put me over the limit. Without further evidence it is simply a matter of my words versus theirs and I hope my lawyer has shared my mitigation packet and other life's work as testimony to my character.

Thank you for considering – still I will prefer a trial by Jury, But wanted to prove [illegible] @ OSH [illegible]

# Supplemental Incident Report

Oregon State Police , SPRINGFIELD AC PROFESSIONAL STAFF
*Printed:* 12/06/2018 07:53 by A34306
*Incident:* **SP18426053 Crash - Injury @11/16/2018 12:51**

*Author:* #50260 LUQUIN, JACOB *Report time:* 12/05/2018 14:30
*Entered by:* #50260 LUQUIN, JACOB *Entered time:* 12/05/2018 14:30

*Report:*

**DISTRIBUTION:** Lane County District Attorney's Office; Lane County Sheriff's Office Attn: Deputy Hudson #197

**SUBJECT:** Collision assist

**EVIDENCE:** DVD- In car video (audio from Dep. Hudson SFST's)

**OTHERS MENTIONED:** Senior Trooper Ron Martin / Oregon State Police- Springfield
Deputy Hudson #197 / Lane County Sheriff's Office

**ACTION TAKEN:**
The following statements are summarized for the convenience of the reader. They are not verbatim and do not necessarily reflect the chronology of the contact.

On Friday November 16, 2018 at 12:51 I was requested to assist Senior Trooper (Sr.Tpr.) Martin with a two vehicle collision on SR 58 near milepost 14. Refer to Sr.Tpr. Martin's report for details of his collision investigation.

Upon arriving I observed Deputy (Dep.) Hudson was speaking with one of the drivers, Spencer Barrett, involved in the collision that left the scene and was stopped by a Good Samaritan. I observed Dep. Hudson put Barrett through Standardized Field Sobriety Test. Refer to Dep. Hudson's report for details of his DUII investigation. After Barrett was done with the test I asked him several questions. I asked if he was the owner of the GMC vehicle involved in the collision. Barrett replied, "Yeah." I asked why he ran from the scene. Barrett denied running from the scene and talked about not wanting to be in the middle of the scene. I asked if he made any effort to call 911. Barrett stated he did not. I asked about his travels that day. He told me he was coming from Eugene and going to the springs but he didn't make it all the way because he had to turn around and go back to pick someone up. I asked if he and any alcohol to drink before the crash. He stated, "Not this morning." He could not remember how much he drank and said the tequila was involved but he didn't feel drunk this morning. He did know if he blacked out and he didn't know when his night ended. He told he woke up between 5 and 8. I asked if he drank any alcohol after the wreck. He said one or two. I asked if he smoked marijuana. He replied, "I shouldn't." He denied smoking any marijuana since July sometime, 2017 (before last event) He denied using any illicit controlled substances or prescription medication.

Deputy Hudson then placed Barrett in custody. I then continued to assist Sr.Tpr. Martin with the collision investigation.

—Luquin

**CASE STATUS:**

Mr. Barrett was asked how he could assist his attorney with his case. He stated, "I could give her some facts of the case and that would help my attorney." He then began talking about one of the witnesses in his current case, stating, "One of the witnesses works in the culture of war he is a vet and had gloves and he is just yelling at me, in pure evil hatred." He continued, "I am trying to mail the Governor about this about another case they have not given me envelopes to send habus corpus, I don't trust the Governor." He then stated, "Hopefully I get a new attorney. I requested one a while ago but they did not take my request seriously so I am just moving along and just in a plea mill, but I made a promise to myself that I should not plea, but I am unsure of myself."

**Ability to Participate in the Defense of the Defendant Including Making Relevant Decisions Independently**

I attempted to engage Mr. Barrett in conversation to gauge his rational understanding and appreciation of court. He was unable to engage in a discussion of a hypothetical situation due to his inability to stay on topic. When asked to discuss aspects of his case, such as what the police are alleging, he began perseverating on his innocence and, as mentioned above, the evil nature of the system and the witnesses that were interviewed in his case. Although he identified himself as the one who has the final say in the decisions made related to his case, he also made statements that, due to the "corrupt nature" of the system, he is most likely to be successful in his case if he just does whatever his attorney asks of him. He was reminded that what his attorney tells him is advice and that he is the one who ultimately must make the final decisions in his case. It is unclear if he retained the education as he became tangential and began talking about the legal system. He was able to identify how he should act in a courtroom. He reported it would be better he does not testify in his case as "they are already trying to prosecute me by their own projection, and they'll just say something that further makes me look bad. They are picking and choosing words for me and that is a confirmation bias."

def "evil"
: negative
footprint

**OPINION:**

Mr. Barrett meets criteria for a qualifying mental disorder as described above. During the current interview he presented as significantly disorganized and tangential. Additionally, he endorsed significant delusional beliefs that were grandiose and persecutory in nature.

Mr. Barrett demonstrated some factual knowledge related to his case and the legal system. He was aware of his charges, his plea options, and possible sentencing lengths. However, his delusional beliefs interfered with his ability to rationally conceptualize the roles of various legal personnel. Mr. Barret does not understand the nature of the proceedings against him. His rational appreciation of his pending charges is impacted by his disorganization and delusional beliefs. Additionally, his ability to have a rational discussion about his case and use of his factual knowledge in relation to his case is impacted by these symptoms. As a result, his ability to engage in rational discussion about his charges, possible defense strategies, and evidence is impacted by his qualifying mental disorder.

Mr. Barrett is not able to assist and cooperate with counsel. His tangential speech and cognitive disorganization impact his ability to effectively and rationally communicate with his attorney. His delusional beliefs have impacted his ability to understand his attorney's role in his case and has impacted his ability to trust his attorney. He will likely not take in the information she presents to him as his delusions have influenced his faith in his attorney's abilities and the legal system as a

Routed by:

# EVIDENCE/PROPERTY

Lane County Sheriff's Office



| DA | TALLY | PRESS | VMSP | CIS | PARCK. SOT. | HATE CRIME |
|---|---|---|---|---|---|---|
| CSD | JUV | ME | MTL HEA. | OLCC | CHILD | GANG |
| EPD | Res. Dep./Con. Cty. | | | | | |
| SPD | Other: | | | | | |
| OSP | Other: | | | | | |

RELATED REPORTS: ☐ Accident ☒ Incident ☒ Citation ☒ Custody ☒ Prop/Evidence ☐ Supplemental

2. Case No. 18-7823

Storage Location:

1. Incident & O.R.S. No. DUII 813.010

3. Incident Location: HIGHWAY 58 NEAR PIONEER

Property Want Check: AIRS / LEDS / NCIC

4. Reported Date: 11/16/18

5. Time: 1253 HOURS

6. Seized Date: 11/18/18

7. Time: 1225 HRS

8. EVIDENCE: ☐ Destroy ☒ Hold for Court ☐ Hold for Lab ☐ Print Pictures ☐ Fingerprint ☐ Hold for Owner

9. Instructions for Processing (list item no.'s):

10. Test for Cont. Substance ☐

11. Suspected Content:

12. Towed From:

13. Recovered Stolen Vehicle: ☐ LCSO Case / Other Agency

14. TOWED VEHICLE INFO.: ☐ Custody ☐ Accident ☐ Evidence Hold ☐ Abandoned Vehicle ☐ Seized Asset/Forfeiture ☐ Hazard

17. Cit. No. N/A

15. Towed By: 16. Towed To:

18. Tow Operator Signature:

EV / ARS / LEDS / NCIC / REG — EV / AIRS / LEDS / NCIC / REG

19. VIN No. 20. Color (Top/Bottom) 21. Odometer

22. LIC. NO. State / Exp Yr / Veh Yr / Make / Model / Style / 23. Notified Date/Time / Value

PERSONS

S (R/L, C) — 24. Name: WHITNEY, First: CLINTON, Middle: EARL — AIRS No. — 27. Phone

V (R/L, C) — 26. Name: BARRETT, First: SPENCER, Middle: JOSEPH — AIRS No. — 29. DOB: 4/18/94

30. Address / City / State / Zip / 31. Phone

32. ☐ Keys in Veh. ☐ Not Driveable ☐ Radio ☐ Stereo Tape ☐ CB Radio ☒ Spec. Ant. ☐ Cust. Wheels ☐ Right Damage ☐ Left Damage ☐ Front Damage ☐ Rear Damage ☐ Stripped ☐ Trunk Exam ☐ Prop. Removed

INVENTORY LISTING ☐ / RECOVERED STOLEN PROPERTY ☐

| NO. | QTY. | 33. ITEM | 34. SER. NO./INSCR. | 35. BRAND | 36. MODEL/SIZE/COLOR | 37. VALUE |
|---|---|---|---|---|---|---|
| MH 2 | 12 | 12 DIGITAL PHOTOGRAPHS | | | | — |

38. Impounding Officer: [signature] I.D. No. 43507/197

39. Submitted Date: 11/23/18

40. Time: 1200

41. Released By: I.D. No. 42. Date 43. Time

44. Submitted Other (Specify):

45. Released To (Signature):

46. Approved By: [signature] I.D. No.

000041

White–FILE COPY Canary–LAB COPY Pink–PROPERTY Goldenrod–RECEIPT COPY

REV. 5/18 #20780 Form C77-303

p 366 "anatomy of an epidemic"



# Psychiatry Admission Assessment

OREGON STATE HOSPITAL
HOPE · SAFETY · RECOVERY



**Client Name:** Barrett,Spencer Joseph **Client ID:** 90061 **Facility Chart Number:** 100627
**Episode:** 2 **Date of Birth:** 4/18/1994 **Assessment Date:** 11/3/2022

## Mental Status Exam

Assessing Clinician: Adediran,Jubril, PMHNP

Mental Status Assessment Date: 11/3/2022

**Appearance/Behavior**

Clean, no odor and his behavior is appropriate.

**Speech/Thought Process**

Clear/Congruent.

**Mood/Affect**

Sad/flat

**Thought Content/Hallucinations/Delusions**

Linear/Denies hallucination. Reports multiple publications both in magazines and You tube and has worked with prominent environmentalist. Reports involvement in activists works.

**Suicidal/Aggressive Ideation, Intent, Plan**

Denies

**Cognitive Examination (orientation, memory, intellectual functioning)**

Patient is alert to person, place and time. registered three words without prompting. He could recall three words after five minutes delay spontaneously. He correctly completed serial threes correctly from 100-88. He was able to sate recent holiday. He was able to name current U.S. A president and stated the last four well. He was state Salem is the capital of Oregon. Patient was able to identify similarities between two objects.

**Insight/Judgement**

Insight and judgement were very limited as he thinks he can cure depressive symptoms without medications [running] and his currently not willing to be started on recommended medication though he agreed he will look into it. Patient present a good judgement in hypothetical scenarios. When asked what he will do if he lost his wallet in a store, he said he will go to the information center in the store and have it reported.

~1 month after disability & first day @ Hospital

## Past Medical History

**Initial Physical Exam Findings (optional):**

**Past Medical History:**

Per jail, Pt is not currently being treated for any acute or chronic medical in the jail per nurse. Pt reported head lice on 10/30/22 but head check revealed no bugs, nits or otherwise but pt. shaved his head to be sure per nurse. On 9/13/22 pt. reported "bleeding gums" and was prescribed saltwater rinse with intended results per nurse. Negative PPD 8/28/22 and no ID hx noted. Pt denies having COVID vaccine, no current sx or exposures.

**Current Medications:**

None.

## Diagnosis (For Admission)

E. 1
(signed a petition for criminal mischief before court (not lying))

# IN THE CIRCUIT COURT OF THE STATE OF OREGON
# FOR THE COUNTY OF JACKSON

THE STATE OF OREGON
Plaintiff,

v.

SPENCER JOSEPH BARRETT
Defendant.

Case No. **22CR37006**

PETITION TO ENTER PLEA OF GUILTY
AND ORDER PERMITTING SAME



I represent as follows:

(1) My true name is **Spencer Joseph Barrett.**; My DOB is **04/18/1994.** I am **28** years of age; I read, write and understand the English language, or I have had my attorney, or someone else on my behalf, who reads, writes and understands the English language, review the Petition to Enter Plea of Guilty and Order Permitting Same with me.

(2) I request all proceedings against me to be had in the above name.

(3) The attorney representing me is **Colin Bradshaw.** I have received a copy of the indictment (information) before pleading and have read it, discussed it with my attorney and fully understand all charges made against me.

(4) I have told my attorney all the facts and circumstances as known to me concerning the matters mentioned in the indictment (information) and believe that my attorney is fully informed as to all such matters. My attorney has informed, counseled and advised with me at length as to the nature of each accusation against me and as to any possible defenses I might have.

(5) My attorney has advised me to the maximum penalty of **364 days of imprisonment and a fine of $6,250.** I have also been advised, if I am pleading to a felony, that under Oregon Sentencing Guidelines the potential period of incarceration is determined by relating the crime severity of the crime of conviction to the criminal history scale. I have also been advised that if the court finds substantial and compelling reasons may impose either more or less time than called for in the presumptive grid block range. An upward durational departure from a presumptive incarceration term shall not total more than double the maximum duration of the presumptive incarceration term. I also have been advised as to the possibility of consecutive sentences being imposed.

(6) I understand that I am not required to plead guilty and may plead not guilty if I choose. If I plead not guilty, I understand I am entitled to a speedy trial before a jury of my peers, that I have the right to call witnesses in my behalf and at no expense to me, and that any such witnesses so called would be compelled to appear and testify; that I have an absolute right to confront any witness who would testify against me and cross examine such witness; that I need not take the witness stand or give any testimony against myself; that the sole burden of proof is upon the State of Oregon to establish my guilt, which must be established beyond a reasonable doubt, that I have a right to the assistance of a lawyer for my defense at all stages of the proceedings, including a lawyer at State expense if I cannot afford one. I understand that by pleading guilty I give up these rights.

(7) I also understand that a prior record could not be used against me except for impeachment purposes; that any admissions, statements or confessions which I may have made or any evidence obtained by virtue of a search and seizure of my property may well be inadmissible against me in evidence unless certain of my constitutional rights have been safeguarded, which rights have been explained to me.

(8) I declare that no officer or agent of any branch of the government nor any lawyer or any other person has made any promise to me, or within my knowledge to anyone else, that I would receive a lighter sentence or any other form of leniency by pleading guilty, with the exception that: **in consideration of my plea of guilty to Count 1 (CMII), the State will recommend: 18 months b/p, 10 days jail CFTS; no contact w/Beaux Club – 347 E Main St., Ashland; no contact w/ Andrea Assuncao; restitution. The State will dismiss the remaining counts.**

(9) I fully understand that the actual sentence is up to the Court, no matter what any recommendations may be.

(10) I believe that my attorney has done all that anyone could do to counsel and assist me, and that there is nothing about the proceedings in this case against me which I do not fully understand. I am satisfied with the advice and help he/she has given me.



_____ Defendant's Initials
_____ Attorney's Initials

(11) I know if I claim to be innocent, the court will not accept my guilty plea. I am pleading to the crime(s):
**Count No. 1 – Criminal Mischief II (A Misdemeanor; ORS 164.354).**

(12) I have taken no drink or drug nor anything else which would in any way impair my judgment at this time, and I am now fully alert. In signing this petition, I am doing so knowingly and voluntarily and offer my guilty plea of my own free will and accord with a full understanding of all the matters set forth in the indictment (information) and in this petition.

(13) The factual basis of my guilty plea is: **as alleged in the charging instrument.**

(14) If I am not a citizen of the United States, I understand that a plea of guilty or a conviction could result in deportation or denial of United States Citizenship.

(15) I understand that if I am not a citizen of the United States and I am pleading guilty to a crime which is considered an aggravated felony under 8 USC 1101 this conviction will result in removal proceedings against me unless the United States Attorney General or his designee chose not to pursue removal. I also understand that this conviction will result in a change of my immigration status.

(16) In addition to the sentence imposed, I understand that there may be other significant consequences if I enter a "guilty" or "no contest" plea, including but not limited to, a prohibition from leaving the state without first requesting transfer of supervision under the provisions of the Interstate Compact for Adult Offender Supervision.

(17) I understand that if I enter a plea of guilty or no contest to an offense involving domestic violence, as defined in ORS 135.230, and am convicted of the offense, federal law may prohibit me from possessing, receiving, shipping, or transporting any firearm or firearm ammunition and that the conviction may negatively affect my ability to serve in the Armed Forces of the United States as defined in ORS 348.282 or to be employed in law enforcement.

(18) I agree that if I withdraw or if a court later reverses, vacates, or sets aside my plea of "Guilty" or "No Contest" in this case, the court will reinstate any charge(s) that were dismissed in return for my plea and the district attorney no longer will be bound by any promises made to me in exchange for my plea. If the court reinstates the charge(s), I waive the statute of limitations and any statutory or constitutional speedy trial or double jeopardy rights applicable to the dismissed charges.

***(19) I hereby acknowledge that my attorney or the Court has furnished me with a Notice and Advice of Right to Appeal pursuant to ORS 137.020 (5).***

Signed by me in the presence of my attorney, if I have one, this ______ of ________________, 2022.

______________________________
Spencer Joseph Barrett
Defendant

**CERTIFICATE OF COUNSEL**

I certify as follows:
(1) That I have read and fully explained to the Defendant the allegations contained in the indictment (information) in this case.

(2) That to the best of my knowledge and belief the statements, representations declarations made by the Defendant in this petition are accurate and true.

(3) That the plea of guilty of the Defendant accords with my understanding of the facts as related to me by the Defendant and is consistent with my advice to the Defendant.

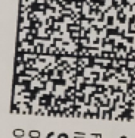
(4) That in my opinion the Defendant's plea is voluntarily and understandingly made and I recommend that the plea be accepted by the Court, and entered on behalf of the Defendant.

Signed by me in the presence of the Defendant above named and after full discussion of the contents of this certificate with the Defendant this _____ of ________________, 2022.

______________________________
Colin Bradshaw, OSB #214192
Attorney for Defendant

Spencer Joseph B[redacted]
Oregon State Hospital
2600 Center Street
Salem, OR 97301

Judge Jay A. McAlpin
Lane County Courthouse
125 East 8th Avenue
Eugene, OR 97401



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US POSTAGE

p 366 "anatomy of an epidemic"

[the need for] "Hospital level of Care" (pg 13 of psych evaluation)
Rebuttals by S.J. Barrett
19CR17970

- "Mr. Barrett has little insight into his mental illness and little insight into his need for psychotropic medications"

I am aware that the conditions-of-confinement[1] can create many symptoms of mental disorder and there are many alternatives[2] to psychotropic medication, such as a change in environmental conditions, a change in social conditions and a change in psychological conditions (such as talk therapy, self narratives, thoughts, feelings and beliefs). Feeling safe and secure[3] is essential to mental health

- "attends scheduled appointments"

evidenced by completion of CAFA's domestic violence course, probation attendance and alcohol monitoring

- "a history of violence when unstable"

video-evidence[4] proves otherwise

1. refer to referenced ORS & grievances
2. non-invasive and Holistic or Natural Plant-medecine
3. Stage 2 on Maslow's pyramid of needs
4. punched in the face while reading the Bible, Mr. Barrett calmly went to the door and waited for Deputy assistance - case # 22-5062 submitted to DA's office for review (STR ...

(11/13/23)
filed w/ grievance review to #23-2 on 11/13/23

it is necessary for multiple reasons that I have access to my medical records and the ability to make statements regarding information documented (Policy 7.014; c; 4 (Oregon State Hospital policies and procedures, Approved: Dolores Matteucci, Superintendent Date: November 8, 2018)

- in order to be as objective and impartial as possible it is necessary for any evaluators to state their own ideas, beliefs, actions, history they may be susceptible to projecting onto the evaluated
  - it is unfair to ask for transparency when one is not willing to be fully transparent themselves (which I am ready and willing w/ reference to my own understanding of psychology & "conscious culture" context map.
- "it is a fallacy for you, a total stranger, to project onto me motives and emotions you think are appropriate"
- Protection of legal rights and ~~right~~ my right to discovery
- referenced relevant ~~psycholo~~ studies/experiments: teacher self fulfilling prophecy, confirmation bias, stereotype threat, golem effect, lucifer effect (stanford prison experiment), on being sane in insane places (Rosenhan), bystander interventions; diffusion of responsibility, learned helplessness, obedience to authority (milgram), conformity (~~ash~~ solomon asch) - All evidence for Justified paranoia (view last 16 pages "references" of pdf "ccmag", on my public profile SJB177 on archive.org)

1/30/2023





Your Honor,

it is apparent by multiple forms of evidence that my past lawyer and current lawyer, both public defenders (known ~~by~~ many as: "public pretenders") do not have my best interest in mind or heart; it is with that recognition that I will be representing myself as well as exercising my right to remain silent during the proceedings.

although it is claimed that my exercising my 5th ammendment right cannot be used against me I have very valid and necessary reasons for doing so which I wish to convey to the jury through written word. However, the current conditions of confinement make even the simplest methods of discovery and access to legal materials such a struggle that any efforts to prepare a defense become futile and hopelessly inadequate when compared to the resources available to my prosecutors.

Regardless, I would like a trial date ~~sent~~ set ASAP and to use the past letters and my mitigation packet from Lissa Casey/Arnold Law (2018-2019) as well as my completion of Cafa (CAFA), alcohol monitoring and probation attendance up until the discovery of my wife's 2nd pregnancy (~2019) combined w/ my lawyer @ this time's unwillingness to go to trial.

Spencer Joseph Barrett (signature)

Spencer Joseph Barrett

abandon cooperation w/, or hope in the Legal System.

Also, case # 22-5062 submitted to the DA's office for review in September 2022 includes video evidence that I am not violent, did not retaliate or react to my being assaulted (punched in the face) while in protective custody. I am still interested in pressing charges which I have heard no response from my attorney (on this issue as well as many others including the police footage of my arrest, the taking of my cell phone and lack of Miranda Rights)

I intend to hold the Ashland Police Department accountable to their misplacing/losing of my cellphone, contacts, ability to communicate/discover and priceless personal data/family photos - as well as to use this and more evidence to show the jury the unnecessary rigor, inhumane struggle and unnecessarily (unconstitutionally) drawn out process for administering "Justice".

7/1/23

19CR17970

Your Honor,

I have been diagnosed w/a Mental Disorder which qualifies as a disability under the Americans with Disabilities Act. After following the procedures on page 12 of the "Information Manual for Adults in Custody" where I sent a Inmate request form to Medical Services where I detailed my disability and requested I not be moved from the cell 1A10 because the Window allowed me to see the sky and green grass and the Ventillation system worked good. I found these necessary for me to maintain mental fitness while I wait to stand for trial. The cell I have been moved to "in East Annex" has no windows to see outside and the ventillation is nonexistant creating a stuffy and unhealthy environment for so many individuals. East Annex is notorious for troublemakers and noise that can last throughout the night (which I am well acquainted with) since spending September to November here last year before I was sent to Oregon State Hospital (by your Orders) This is very uncomfortable and hard to maintain focus while I hope to study HOW I CAN REPRESENT MYSELF — pending a book to be mailed from my mom since my attorney will not respond or help on the matter, because apparently

recieved this*



that is not good enough of a reason to access the law library (which is already insufficient in and of itself, by itself it frustrates the legitamate Efforts of anyone attempting to: file a motion, access past police records and court transcripts and follow up on a case submitted to the DA for review on 9/6/22 where I was punched in the face while reading the Bible, on video ~~in front~~ and documented by deputies who informed me case # 22-5062 was sent to DA for review when I agreed to press charges. It is recorded on video that I did not retaliate or become violent back.)

I am a quick learner in the right environment and would like your help defending 169.076:14 (access to legal Materials)

a larger desk (such as the one in my original cell 1A-10 would be helpful to organize my paperwork - but its better than writing on the floor which I was forced to do for 2-months (september-november)) and the ability to run, as I am a long-distance runner /ultra-marathoner and can run for miles to reduce stress and cure depression (it appears that Hamsters w/ a wheel to run on are treated more Humanely)

-THANK YOU FOR CONSIDERING-

Spencer Joseph Barrett

"Psychiatry Admission Assessment"
Statements regarding information documented
(Policy #7.014; C;4) By Patient Spencer Joseph Barrett

1) p1 of 8 – chief complaint = I deny I ever said that – if I did I was speaking of what they were alleging. I would like audio evidence of this

2) p1 of 8
History of Present illness: not objective or impartial "he attempted to flee" – ref. pg 000042 of "Supplemental Incident Report" (Incident: SP18426053 crash-Injury @ 11/16/2018 12:51)

3) per jail records: "hoarding supplies and small containers of yellow liquid found in cell" per nurse reading note, "it was probably urine" – I was putting apple stems and seeds into small Butter containers to ~~stim~~ simulate a "natural environment" I wanted the seeds to sprout and the stems changed the color of the water.

4) Challenging: "I got into an accident in 2018 while intoxicated and I was told I was unable to stand trial" ~ same as (1) ("chief complaint") Audio Evidence requested

5) " p5 of 8 "Insight and Judgement were very limited as he thinks he can cure depressive symptoms w/ out medication"

6) p2 of 8 "was in a physical altercation w/ a peer on 9/6/22" There is video evidence I was punched while reading the bible and I did not react except by going to the door to ask deputies for help – refer to case # 22-5062 submitted to DA's office for review (desire to press...)

Proof of Hypothetical Reasoning skills:

Hypothetically speaking, even if I was driving under the influence of intoxicants (which in reality- I was not) I would still persevere my innocence with the following statement: I dont ever want to drive a car but am forced to in order to survive: I have to risk my life on the road and to intoxicating /deadly fumes everyday, just to get to my job, school or grocery store. Am I personally responsible for being born in such a poorly designed city? 100+ years ago I could have been just fine.

ALSO, my prior lawyer from Jackson county did not come to the same conclusions- I was able to plea. (8/8/22) Why is this ancient case causing so many problems?: ~ this is obviously very corrupt (w/ out even mentioning the errors involved in that case "extortion", deception, Judge coercion - "if it makes you feel better" ~ no contest, - NO MIRANDA RIGHTS???

PROOF on page 5 of 8 "Psychiatry Admission assessment" (assessment date: 11/3/2022 facility chart #: 100627)

Insight / Judgement: "Patient present a good judgment in hypothetical scenarios. when asked what he would do if he lost his wallet in a store, said he would go to the information center

The D.O.J. is Disorganized, Tangential, and Delusional (w/ regards to: communication transparency, effective Praxis, Authorities & Beliefs on Human Nature)

(1/12/23)

Your Honor,

Evidence that the evaluation by Isabelle was NOT objective or impartial and also lied about hypothetical reasoning skills and my inability to participate in my defense (refer to page 5 of 8 "Psychiatry admission assessment")

Also, evidence of Jackson County DA & Judge deception, coercion (refer to proceedings transcript from 8/8/22 and page 2 of "petition to enter plea of Guilty" - which was signed by me for Criminal Mischief but as transcript proves - was unexpectedly changed on the day of the plea to "false reporting")

Page 000042 of "Supplemental Incident Report" (Oregon State police. Incident: SP18426053 Crash-Injury @ 11/16/2018 12:51) testifies to my defense that I drank after the accident an amount of Tequila or beer sufficient to put me over the limit. Without further evidence it is simply a matter of my words versus theirs and I hope my lawyer has shared my mitigation packet and other life's work as testimony to my character. Sm Joseph Barrett

Thank you for considering - still I will prefer a trial by Jury, But wanted to prove that I should not be here @ OSH - Spencer ... Barrett

# Supplemental Incident Report

Oregon State Police , SPRINGFIELD AC PROFESSIONAL STAFF
*Printed:* 12/06/2018 07:53 by A34306
*Incident:* **SP18426053 Crash - Injury @11/16/2018 12:51**

*Author:* #50260 LUQUIN, JACOB  *Report time:* 12/05/2018 14:30
*Entered by:* #50260 LUQUIN, JACOB  *Entered time:* 12/05/2018 14:30

*Report:*

**DISTRIBUTION:** Lane County District Attorney's Office; Lane County Sheriff's Office Attn: Deputy Hudson #197

**SUBJECT:** Collision assist

**EVIDENCE:** DVD- In car video (audio from Dep. Hudson SFST's)

**OTHERS MENTIONED:** Senior Trooper Ron Martin / Oregon State Police- Springfield
Deputy Hudson #197 / Lane County Sheriff's Office

**ACTION TAKEN:**
The following statements are summarized for the convenience of the reader. They are not verbatim and do not necessarily reflect the chronology of the contact.

On Friday November 16, 2018 at 12:51 I was requested to assist Senior Trooper (Sr.Tpr.) Martin with a two vehicle collision on SR 58 near milepost 14. Refer to Sr.Tpr. Martin's report for details of his collision investigation.

Upon arriving I observed Deputy (Dep.) Hudson was speaking with one of the drivers, Spencer Barrett, involved in the collision that left the scene and was stopped by a Good Samaritan. I observed Dep. Hudson put Barrett through Standardized Field Sobriety Test. Refer to Dep. Hudson's report for details of his DUII investigation. After Barrett was done with the test I asked him several questions. I asked if he was the owner of the GMC vehicle involved in the collision. Barrett replied, "Yeah." I asked why he ran from the scene. Barrett denied running from the scene and talked about not wanting to be in the middle of the scene. I asked if he made any effort to call 911. Barrett stated he did not. I asked about his travels that day. He told me he was coming from Eugene and going to the springs but he didn't make it all the way because he had to turn around and go back to pick someone up. I asked if he and any alcohol to drink before the crash. He stated, "Not this morning." He could not remember how much he drank and said the tequila was involved but he didn't feel drunk this morning. He did know if he blacked out and he didn't know when his night ended. He told he woke up between 5 and 8. I asked if he drank any alcohol after the wreck. He said one or two. I asked if he smoked marijuana. He replied, "I shouldn't." He denied smoking any marijuana since July sometime. He denied using any illicit controlled substances or prescription medication. (2017 [illegible])

Deputy Hudson then placed Barrett in custody. I then continued to assist Sr.Tpr. Martin with the collision investigation.

—Luquin

**CASE STATUS:**

Mr. Barrett was asked how he could assist his attorney with his case. He stated, "I could give her some facts of the case and that would help my attorney." He then began talking about one of the witnesses in his current case, stating, "One of the witnesses works in the culture of war he is a vet and had gloves and he is just yelling at me, in pure evil hatred." He continued, "I am trying to mail the Governor about this about another case they have not given me envelopes to send habus corpus, I don't trust the Governor." He then stated, "Hopefully I get a new attorney. I requested one a while ago but they did not take my request seriously so I am just moving along and just in a plea mill, but I made a promise to myself that I should not plea, but I am unsure of myself."

**Ability to Participate in the Defense of the Defendant Including Making Relevant Decisions Independently**

I attempted to engage Mr. Barrett in conversation to gauge his rational understanding and appreciation of court. He was unable to engage in a discussion of a hypothetical situation due to his inability to stay on topic. When asked to discuss aspects of his case, such as what the police are alleging, he began perseverating on his innocence and, as mentioned above, the evil nature of the system and the witnesses that were interviewed in his case. Although he identified himself as the one who has the final say in the decisions made related to his case, he also made statements that, due to the "corrupt nature" of the system, he is most likely to be successful in his case if he just does whatever his attorney asks of him. He was reminded that what his attorney tells him is advice and that he is the one who ultimately must make the final decisions in his case. It is unclear if he retained the education as he became tangential and began talking about the legal system. He was able to identify how he should act in a courtroom. He reported it would be better he does not testify in his case as "they are already trying to prosecute me by their own projection, and they'll just say something that further makes me look bad. They are picking and choosing words for me and that is a confirmation bias."

**OPINION:**

Mr. Barrett meets criteria for a qualifying mental disorder as described above. During the current interview he presented as significantly disorganized and tangential. Additionally, he endorsed significant delusional beliefs that were grandiose and persecutory in nature.

Mr. Barrett demonstrated some factual knowledge related to his case and the legal system. He was aware of his charges, his plea options, and possible sentencing lengths. However, his delusional beliefs interfered with his ability to rationally conceptualize the roles of various legal personnel. Mr. Barret does not understand the nature of the proceedings against him. His rational appreciation of his pending charges is impacted by his disorganization and delusional beliefs. Additionally, his ability to have a rational discussion about his case and use of his factual knowledge in relation to his case is impacted by these symptoms. As a result, his ability to engage in rational discussion about his charges, possible defense strategies, and evidence is impacted by his qualifying mental disorder.

Mr. Barrett is not able to assist and cooperate with counsel. His tangential speech and cognitive disorganization impact his ability to effectively and rationally communicate with his attorney. His delusional beliefs have impacted his ability to understand his attorney's role in his case and has impacted his ability to trust his attorney. He will likely not take in the information she presents to him as his delusions have influenced his faith in his attorney's abilities and the legal system as a

# Psychiatry Admission Assessment




**Client Name:** Barrett,Spencer Joseph **Client ID:** 90061 **Facility Chart Number:** 100627
**Episode:** 2 **Date of Birth:** 4/18/1994 **Assessment Date:** 11/3/2022

## Mental Status Exam

Assessing Clinician: Adediran,Jubril, PMHNP

Mental Status Assessment Date: 11/3/2022

**Appearance/Behavior**

Clean, no odor and his behavior is appropriate.

**Speech/Thought Process**

Clear/Congruent.

**Mood/Affect**

Sad/flat

**Thought Content/Hallucinations/Delusions**

Linear/Denies hallucination. Reports multiple publications both in magazines and You tube and has worked with prominent environmentalist. Reports involvement in activists works.

**Suicidal/Aggressive Ideation, Intent, Plan**

Denies

**Cognitive Examination (orientation, memory, intellectual functioning)**

Patient is alert to person, place and time. registered three words without prompting. He could recall three words after five minutes delay spontaneously. He correctly completed serial threes correctly from 100-88. He was able to sate recent holiday. He was able to name current U.S. A president and stated the last four well. He was state Salem is the capital of Oregon. Patient was able to identify similarities between two objects.

**Insight/Judgement**

Insight and judgement were very limited as he thinks he can cure depressive symptoms without medications and his currently not willing to be started on recommended medication though he agreed he will look into it. Patient present a good judgement in hypothetical scenarios. When asked what he will do if he lost his wallet in a store, he said he will go to the information center in the store and have it reported.

## Past Medical History

**Initial Physical Exam Findings (optional):**

**Past Medical History:**

Per jail, Pt is not currently being treated for any acute or chronic medical in the jail per nurse. Pt reported head lice on 10/30/22 but head check revealed no bugs, nits or otherwise but pt. shaved his head to be sure per nurse. On 9/13/22 pt. reported "bleeding gums" and was prescribed saltwater rinse with intended results per nurse. Negative PPD 8/28/22 and no ID hx noted. Pt denies having COVID vaccine, no current sx or exposures.

**Current Medications:**

None.

## Diagnosis (For Admission)

**§ 108:4 Petition for writ of habeas corpus — General grounds — State**

*[Caption]* ____________________

TO: Circuit COURT OF THE COUNTY OF Lane:

I am (OR the attorney for) Spencer Joseph B[illegible]ett, for whom this petition is filed.

The prisoner is illegally held in the custody, confinement or restraint of LANE COUNTY SHERIFF CLIFTON HARROLD, at LANE COUNTY JAIL Jail, in LANE County, OREGON and this confinement is illegal because: constitutional rights (waived w/out consent) + right to speedy trial (10:20 [illegible])

*[Specify the particulars in which such illegality exists.]*

Administrative procedures; promulgation of rules: ORS 188.335 "Notice, content, public comment; temporary rule adoption, amendment or suspension; substantial compliance required. 1) Prior to the adoption of any rule the Agency shall give notice of its intended action 2(a) The notice required in subsection (1) must include (b)(A) a citation of the statutory or other legal authority relied upon and bearing upon the promulgation of the rule 3(b) [illegible] The publication shall be made in the newspaper of general circulation published closest to the geographical area; Constitution of Oregon: Sections 1 & 20 ("Equality") 2-3 ("religious & conscience") [illegible] ("impartial") 10: No court shall be secret, Justice shall be administered openly and without purchase.

No other application for a Writ of Habeas Corpus or a warrant in lieu thereof has been made, by or on behalf of said person in regard to said restraint, except as follows: ____________

WHEREFORE, I pray that a Writ of Habeas Corpus be issued directed to Lane County Sheriff Clifton Harrold, commanding him to have said prisoner before said Court at a time and place therein to be specified, to do and receive what shall then and there be considered by said Court, concerning the person so restrained together with the time and cause of the detention, and said Writ.

Dated: 9/16/2022

[handwritten signature] *[Signature]*

____________ *[Name of Attorney]*
Attorney for Petitioner if applicable